

Henry VIII. 1581

Anno xxiii. Regina Elizabethæ.

Henry VIII.
At this present Sessi-

on of Parliament by prorogation holden
at VVestminster the xvj. day of Ia-
nuarie, in the xxiii. yeere of the reigne of our most
gracious soueraigne Lady Elizabeth, by the grace of God, of
Englande, Fraunce, and Irelande, Queene, defender of the
Faith, &c. and there continued vntill the xviii. day of March following.

To the high pleasure of Almighty God, and the
weale publique of this Realme, were
enacted as followeth.

Imprinted at Lon-
don by Christopher Barker, Printer to
the Queenes most excellent Maiestie.

1581.



The Table.

- 1 A An acte to reteine the Queenes Maiesties Subiectes in their due obedience.
- 2 An acte against seditious words & rumours uttered agaynst the Queenes most excellent Maiestie.
- 3 An acte for the reformation of errors in fines and recoueries.
- 4 An acte for the fortifying of the borders towards Scotland.
- 5 An acte touching yron milles neere vnto the Citie of London and the riuer of Thames.
- 6 An acte for the repayping of Douer Haven.
- 7 An acte for the increase of mariners, and for maintenance of the Nauigation.
- 8 An acte for the true melting, making and working of ware.
- 9 An acte for the abolishing of certaine deceitfull stufte vsed in the dying of cloth.
- 10 An acte for preservation of Fesantes and Partridges.
- 11 An acte for the reedifying of Cardiffe bridge in the Countie of Glamorgan.
- 12 An acte for an addition to a former Acte made Anno xiii. of her Maiesties, for the pauing of a streete without Algate, leading to her Highnes Storehouses at the Vinories and other places.
- 13 An acte for the Tinning of Carith and Plumsted Parsh.
- 14 An acte of a Subsidie graunted by the Cleargie.
- 15 An acte for a Subsidie and two Fifteenes graunted by the Temporalitie.
- 16 An acte for the Queenes Maiesties most gracious, generall, and free Pardon.

God saue the Queene,

Reginæ Elizabethæ.

Chap. i.

¶ An Acte to reteyne the Queenes Maiesties Subiectes in their due obedience.

Chapter. i.



HERE sithence the
statute made in the xiii. yeere of
the reigne of the Queene our
loueraine Lady, intituled, An
Act against the bringing in and
putting in execution of Bulles,
writings, and Instruments,
and other superstitious things
from the Sea of Rome, diuers
euil affected persons haue prac-
tised, contrary to the meaning
of the saide Statute, by other
meanes then by Bulles, or In-

struments, written or printed, to withdraue diuers the Queenes
Maiesties subiectes from their naturall obedience to her Maie-
stie, to obey the said vsurped auctoritie of Rome, and in respect of
the same, to perswade great numbers to withdraue their due obe-
dience to her Maiesties lawes, established for the due seruice of
Almightie God.

For reformation whereof, and to declare the true meaning of
the saide lawe: Be it declared, and enacted by the auctoritie of
this present Parliament, that all persons whatsoeuer, which haue,
or shal haue, or shal pretend to haue power, or shal by any wayes
or meanes, put in practise to absolue, perswade, or withdraue any
of the Queenes Maiesties subiects, or any within her highnes
Realmes and Dominions, from their naturall obedience to her
Maiestie, or to withdraue them for that intent from the religion
now by her highnes auctoritie established within her highnes
Dominions, to the Romish religion, or to moue them, or any of
them, to promise any obedience to any pretended auctoritie of
the Sea of Rome, or of any other Prince, State, or Potentate,
to be had or vsed within her dominions, or shal doe any ouert
Acte, to that intent or purpose, and euery of them, shalbe to all in-
tentes

tentes adiudged to be traitors: and being thereof lawfully convicted, shall haue iudgement, suffer and forfeite, as in case of high treason. And if any person shall after the end of this Session of Parliament, by any meanes be willingly absolved, or withdrawn as aforesaid, or willingly be reconciled, or shall promise any obedience to any such pretended auctorite, Prince, State or Potentate, as is aforesaid: that then every such person, their procurers and counsellors thereunto, being therof lawfully convicted, shall be taken, tryed and iudged, and shall suffer and forfeite, as in cases of high treason.

And be it likewise enacted and declared, that all and every person and persons, that shall wittingly be aiders, or maintainers of such persons so offending as is aboue expressed, or of any of them, knowing the same, or which shall conceale any offence aforesaide, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Justice of peace, or other higher officer, shall be taken, tryed and iudged, and shall suffer and forfeite as offenders in misprision of treason.

And be it likewise enacted, that every person which shall say or sing Masse, being thereof lawfully convicted, shall forfeite the summe of CC. markes, and be committed to prison in the next gaole, there to remaine by the space of one yeere, and from thence forth till he haue payd the sayd summe of CC. markes: and that every person which shall willingly heare Masse, shall forfeite the summe of one hundredeth markes, and suffer imprisonment for a yeere.

Be it also further enacted by the auctoritie aforesayde, that every person aboue the age of xvi. yeeres, which shall not repaire to some Church, Chappel or vsual place of common prayer, but forbear the same, contrary to the tenor of a statute made in the first yeere of her Maiesties reigne, for vniformitie of common prayer, and being thereof lawfully convicted, shall forfeite to the Queenes Maiestie for every moneth after the end of this Session of Parliament, which he or she shall so forbear, twentie poundes of lawfull English money: and that ouer and besides the said forfeitures, every person so forbearing, by the space of xii. moneths as aforesaid, shall for his or her obstinacie, after certificate thereof in writing made into the Court, commonly called the Kinges Bench, by the Ordinarie of the Diocesse, a Justice of assise and Gaole deliuerie, or a Justice of peace of the Countie where such offender shall dwell or be, be bound with two sufficient sureties in the summe of two hundredeth pound at the least to the good behauiour,

Reginæ Elizabethæ.

Chap.i.

behaviour, and so to continue bound untill such time as the persons so bound do confoyme themselves, and come to the Church, according to the true meaning of the sayde statute made in the sayd first yeere of the Queenes Maiesties reigne.

And be it further enacted, that if any person or persons, body politike or corporate, after þ feast of Pentecost next coming, shall keepe or maintaine any Scholemaster, which shall not repaire to Church as is aforesaid, or be allowed by the Bishop or Ordinarie of the Diocesse, where such Scholemaster shall be so kept, shall forfeite and lose for euery moneth so keeping him, ten poundes.

(Provided, that no such Ordinarie or their ministers, shal take any thing for the sayde allowance) And such Scholemaster or teacher presuming to teach contrary to this act, and being thereof lawfully conuict, shall be disabled to be a teacher of youth, and shall suffer imprisonment without baile or mainprie for one yeere.

And be it likewise enacted, that all and euery offences against this acte, or against the actes of the first, fift, or xiii. yeeres of her Maiesties reigne, touching acknowledging of her Maiesties supreme gouernement in causes Ecclesiasticall, or other matters touching the seruice of God, or comming to Church, or establishment of true religion in this Realme, shall and may be inquirable, aswell before Iustices of peace, as other Iustices named in the same statutes within one yeere and a day after euery such offence committed: any thing in this acte or in any other act to the contrary, notwithstanding.

Be it likewise enacted, that Iustices of Oyer and Terminer, and Iustices of assise, and of Gaole deliuerie, in their seuerall limits, shall haue power to enquire, heare and determine of all offences against this statute: and Iustices of peace in their open quarter Sessions of peace, shal haue power by vertue of this act to enquire, heare and determine of all offences against this acte, (except treason, and misprision of treason.)

Provided alway, that euery person guilty of any offence against this statute other then treason, and misprision of treason, which shal before he be thereof indicted, or at his arraignment, or trial before iudgement, submit, and confoyme himselfe before the Bishop of the Diocesse where he shall be resident, or before the Iustices where he shall be indicted, arraigned, or tried, (hauing not before made like submission at any his tryall being indicted for his first like offence) shall vpon his recognition of such submission in open assises or sessions of þ Countie where such person shall be resident, be discharged of all and euery the said offences against this acte

acte (except treason and misprision of treason) and of all paines and forfeitures for the same.

And be it likewise enacted, that al forfeitures of any summes of money limited by this act, shalbe deuided in three equal parts, whereof one thirde part shalbe to the Queenes Maiestie to her owne vse, one other third part to the Queenes Maiestie for reliefe of the pooze in the parish where the offence shalbe committed, to be deliuered by warraunt of the principall officers in the receipt of the Eschequer, without further warrant from her Maiestie, and the other third part to such person as will sue for the same in any Court of Record by action of debt, bill, plaint, or information, in which suite no Escoine, Protection, or wager of law shalbe allowed: And that every person which shall forfait any summes of money by vertue of this act, and shall not be able, or shall faile to pay the same within three moneths after iudgement thereof giuen, shalbe committed to prison, there to remaine, vntill he haue payd the sayde summes, or conforme himselfe to goe to Church, and there doe as is aforesaid.

Provided also, that every person, which usually on the Sunday shall haue in his or her house the diuine seruice which is established by the law in this Realme, and be thereat himselfe or her self usually or most commonly present, and shall not obstinately refuse to come to Church, and there to doe as is aforesaid, and shall also foure times in the yeere at the least be present at the diuine seruice in the Church of the parish where he or she shalbe resident, or in some other open common Church or such Chappell of ease, shall not incurre any paine or penaltie limited by this act for not repairing to Church.

And be it likewise enacted and declared, that every grant, conueyance, bond, iudgement, and execution, had, or made, since the beginning of this Session of Parliament, or hereafter to be had, or made, of conenous purpose to defraude any interest, right or title, that may or ought to grow to the Queene, or to any other person by meane of any conviction or iudgement, by vertue of this statute, or of the said statute of the sayd xiii. yeere, shalbe, and be adiudged to be utterly holde against the Queene, and against such as shall sue for any part of the saide penalties in forme aforesaid.

Provided alway, that if any Peere of this Realme shall happen to be indicted of any offence made treason or misprision of treason by this act, he shall haue his tryall by his Peeres, as in other like cases is accustomed.

Provided also, that neither this acte, nor any thing therein conteyned,

Reginæ Elizabethæ.

Chap.ii.

conteyned, shall extend to take away or abridge the authoritie of iurisdiction of the Ecclesiastical Censures for any cause or matter, but that the Archbishops and Bishops, and other Ecclesiastical Judges may do & proceede, as before the making of this acte they lawfully did or might have done, any thing in this acte to the contrary, notwithstanding.

An acte against seditious

wordes and rumours, vttered against the

Queenes most excellent

Maiestie.

Chap.ii.



Whereas in and by the lawes & statutes of this Realme already made & ordeyned against seditious wordes and rumours, vttered against the Queenes most excellent Maiestie, there is not sufficient and condigne punishment provided for to suppress the malice of such as be euill affected towards her highnesse: Be it therefore enacted by the authority of this present Parliament, that if any

person or persons, after the ende of fortie dayes next ensuing the ende of this present Session of Parliament, shall aduisedly, and with a malicious intent of his or their owne imagination, speake any false, seditious, & slanderous newes, rumours, sayings or tales against our sayde most naturall Soueraygne Ladye the Queenes Maiestie (that now is,) That then al, and euery such person and persons so offending, being thereof lawfully convicted or attainted, in foure me hereafter in this present acte expressed, shall for euery such first offence, cyther bee in some market place within the Shyre, Citie, or Borough where the sayde wordes

A.iiii.

were,

were, or shalbe so spoken, set openly vpon the Pillorie, by the Sheriffe or his ministers, if it shall fortune to be without any citie, or towne corporate: And if it shall happen to be within any citie or towne corporate, then by the principal officer or officers of such citie or towne corporate, or his or their ministers, and there to haue both his eares cut off, or at the election of the offendour pay two hundred pounds to the Queenes Highnesses vse in her Maiesties receipt of the Exchequer, within two monethes next after the iudgement giuen of his saide offence, and also shall suffer imprisonment by the space of sixe moneths after such his or their conuiction, without baile or mainpryse.

And be it further enacted by the auctoritie aforesayde, that all and euery person and persons, which after the ende of the sayde fourtie dayes, shall aduisedly and with a malicious intent against our saide Soueraigne Lady repozte any false, seditious & slanderous newes, rumours, or tales to the slander and defamacion of our sayd Soueraigne Lady the Queenes Maiestie (that now is) of the speaking or reporting of any other, that then all and euery such person or persons so reporting, being thereof conuicted and attaynted in foure hereafter in this act expressed, shall for euery such first offence, eyther be in some market place within the Shire, Citie, Borough, or Towne where the saide wordes were, or shalbe so reported, set openly vpon the Pillorie by the Sheriffe or his ministers, if it shall fortune to be without any citie or towne corporate, and if it shall happen to be within any citie or towne corporate, then by the principal officer or officers of such citie or towne corporate, or his or their ministers, and there to haue one of his eares cut off, or at the election of the offendour pay two hundred markes to the Queenes Highnesses vse, in her Maiesties saide receite of the Exchequer, within two moneths next after the iudgement giuen of his saide offence, and also shall suffer imprisonment by the space of three moneths after such his or their conuiction, without baile or mainpryse.

And be it further enacted by the auctoritie aforesayde, that if any person or persons, once lawfully conuicted for any of the offences aforesayde, do after wardes cōtinue offend in any of the offences aforesayde, that then euery such seconde offence to be deemed and adiudged felonie, and the offendour and the offendours therein, to suffer such paynes of death and forfaiture, as in case of felonie, without any benefite of Clergie, or Sanctuarie to be allowed vnto the offender in that behalfe.

And be it further enacted by the auctoritie aforesayde, that if

Reginæ Elizabethæ.

Chap. ii.

if any person or persons, after the ende of the sayde fourtie dayes, either within this Realme, or in any other the Queenes dominions, or in any other place out of the Queenes dominions, shall advisedly and with a malicious intent against our sayd Soueraigne Lady, deuise, and write, print, or set forth any manner of booke, ryme, ballade, letter, or writing, contayning any false, seditious, and sclanderous matter to the defamacion of the Queenes Maestie, (that now is) or to the incouraging, stirring, or moving of any insurrection or rebellio within this Realme, or any the dominions belonging to the same, or if any person or persons after the ende of the sayde fourtie dayes, either within this realme or other the Queenes dominions, or in any other place out of the Queenes dominions, shall advisedly, and with a malicious intent against our sayd Soueraigne Lady, procure or cause any such booke, ryme, ballade, letter, or writing, to be written, printed, published or set forth, and the sayde offence not being punishable by the statute made in the fiue and twentieth yere of the reigne of king Edward the thirde concerning treason, or declaration of treason, or by any other statute whereby any offence is made, or declared treason: That then every such offence shall be deemed and adiudged felony, and the offendours therein being thereof convicted and attainted, shall suffer such paines of death and forfeiture, as in case of felony is used, without any benefite of Clergie or Sanctuarie to be allowed vnto the offendour in that behalfe.

And for that diuers persons wickedly disposed, and forgetting their due tie and allegiance, haue of late not only wished her Maesties death, but also by diuers meanes practised and sought to know howe long her Highnesse should liue, and who should reigne after her decease; & what changes and alterations should thereby happen, to the intent that such mischiefs and inconueniences as may thereby grow in the common weale to the great disturbance of the same, may be cut off and prevented.

Be it also enacted by the auctoritie aforesayde, that if any person or persons, of what estate, condition, or degree so euer they be, at any tyme after the ende of the sayde fourtie dayes, and during the life of our sayd Soueraigne Lady & Queenes Maestie (that now is) either within her Highnesse dominions, or without, shall by setting or erecting of any figure or figures, or by casting of nativities, or by calculation, or by any propheting, witchcraft, coniurations, or other like vnlawfull meanes to knowe, seeke to knowe, and shall set forth by expresse wordes, deedes, or writings, how long her Maestie shall liue or continue,

or who shal reigne as king or Queene of this realme of England after her highnesses decease, Or else shall aduisedly and with a malicious intent against her highness, utter any manner of direct prophecies to any such intent or purpose, or shall maliciously by any wordes, wytyng, or pryncing, wish, will or desire the death or depriuation of our soueraigne Lady the Queenes Maiestie (that now is) or any thing directly to the same effect, that then euery such offence shalbe felonie, and euery offendour and offendours therein, and also all his or their aydoours, procurers, and abettors in or to the sayde offences, shalbe iudged as felons, and shall suffer such paynes of death and forfeiture, as in case of felonie is vbled, without any benefite of Clergie, or Sanctuarie.

And be it further enacted by the authoritie aforesaide, that the Iustices of the Court, commonly called the Kinges bench, Iustices of Oyer and determiner, Iustices of Assise in their seuerall circuytes, and Iustices of general gaole deliuerie, aswell within libertyes, as without; within the Limits of their seuerall commissions, shal by vertue hereof haue full power and authoritie to inquire of, and to heare, and determine all and euery the offences aforesaide, and that the partie indicted, and arraigned of any the offences aforesaide, shall haue aduantage of all manner of challenges to the Iurie, as in triall of felony is vbled.

And also that all Iustices of peace, aswell within Liberties as without, within the Limits of their seuerall Commissions, in their generall or quarter Sessions, shall by vertue hereof haue full power and authoritie, to enquire of all and euery the offences aforesaide, and to cause the offender and offendours therein to be indicted without any further proceeding therein. And that also euery Iustice of peace within the Limits of his commission, shall haue full power and authoritie, to commit any person being vehemently suspected of any of the saide offences, to ward, vntill he doe put in sureties, to make his personall apparaunce at the next quarter Sessions or gaole deliuerie, and in default of finding such sureties, then to commit him to prison, there to remaine, vntill he shal find sureties for his apparaunce, as is aforesaide.

And be it further enacted by the authoritie aforesaide, that all offences made felonye by this acte, which hereafter shalbe done or committed by any person or persons out of this Realme of England, shalbe from henceforth inquired of, heard, and determined before the Queenes Maiesties Iustices of her bench for ples to be holden before her selfe, by good & lawfull men of the same Countie, where the same bench shalbe kept, in like manner
and

Regine Elizabethæ.

Chap. ii.

and forme to all intentes and purposes, as if the same offences had bene done and committed within the same County where they shall so be enquired of, heard and determyned: Any thing to the contrary notwithstanding.

Provided alwayes, and be it enacted by the auctoritie aforesaid, that no maner of person or persons, shalbe molested or impeached for any of the offences, concerning speaking or reporting as is aforesaide, unless he or they be thereof accused with in one moneth next after such wordes spoken or reported before some one Justice of peace, and the witnessses therein to be used, named to the same Justice, and the same accusation and witnessses names put in wytyng by the said Justice, and certified at the next quarter Sessions or gaole deliverye: And unless such offender also bee indicted, within one yere next after his or their said offence so supposed to be committed or done.

Provided also, and be it enacted by the auctoritie aforesaide, that every such Mayor or Mayors, Bailiffe, or other head officer of Cities, Boroughs, and Townes corporate, which have or hereafter shal have Jurisdiction and auctoritie, within the several Lynnes of their office or offices, to holde and keape Sessions, as Justice or Justices of the peace, shall and may by the auctoritie hereof, as well arrest and commit to warde or baile, in maner and forme aforesaid, al and every person and persons, being behemently suspected of any the offences aforesaid, as also to inquire of al and every the offences aforesaid, and to proceede to the indicting of every such offender without any further proceeding therein, Any thing in this act to the contrary notwithstanding.

Provided also, and be it enacted, that this present acte shalbe proclaimed in all the Counties within this Realme, before the ende of cyght and twenty dayes next ensuyng the ende of this present Session of Parliament, to the intent that all persons may have notice thereof, and thereby to anoyde the perill and danger that may ensue by offending against the same.

Provided alwayes, and be it enacted by the auctoritie aforesaide, that the Deeres of this Realme, and every of them that shall hereafter fortune to be indicted of any the offences aforesaide, shalbe tryed by their Deeres, as before hath bene accustomed in cases of treason and felonie.

Provided also, and be it enacted by the auctoritie aforesaid, that this Acte, nor any thing therein conteyned, nor any attaynder or attaynders of any person or persons, for any offence or offences made felonie by this Acte, shall in any wise extend or be adjudged, interpreted, or expounded, to make the offender or offenders

fendozs to forſeite or loſe any landes, tenementes or hereditaments any longer, then onely during his owne life; or to make any corruption of blood to any the heire or heires of any ſuch offender or offendozs, or to make the wiſe of any ſuch offender or offendoz forſeite her dower or title of dower, of or in any Landes, Tenementes, or Hereditamentes, or her action or intereſt to the ſame: Any thing in this Acte conteyned, or any attayndoz or attayndozs hereafter to be had, for any offence or offences made felonie by this Acte, to the contrary notwithstanding.

And provided alſo, and be it enacted by the authoritie aforeſaide, that no perſon or perſons ſhalbe hereafter indicted or arraigned, for any offence or offences touching or concerning ſpeaking or repoyting as aforeſaide, unleſſe the ſame offence or offences be proved by the teſtimonie, depoſition and othes of two ſufficient witneſſes, at the time of his or their Indictment, which ſayde witneſſes alſo, at the time of the arraignment of the partie ſo indicted, ſhalbe brought forth in perſon before the partie ſo arraigned; face to face; and there ſhall openly declare all they can ſay againſt the ſaide partie ſo indicted, unleſſe the ſayde partie ſo indicted, ſhall willingly and without violence confeſſe the ſame.

And be it likewiſe enacted by the authoritie aforeſayde, that the Statute of the firſt and ſecond yeeres of King Philippe and Queene Marie, entituled, (An Acte againſt ſeditious wordes and rumors) and one other Acte of Parliament made in the firſt yeece of the raigne of our ſaid ſoveraigne Lady the Queenes Maieſtie, (that now is) whereby it is provided and enacted, that the ſayde former Acte ſhall extende to and for our ſayde ſoveraigne Lady the Queenes Maieſtie that now is, and every claue, article, and ſentence in every of the ſayd Actes and Statutes, ſhall from and after the proclamation of this Acte, be repeated and voyde to all intentes and purpoſes, for ſo long time as this Acte ſhall continue in full ſtrength and perfect force.

And be it likewiſe enacted by the authoritie aforeſayde, that this Acte, nor any thing therein conteyned, ſhall haue continuance; or be in force for any longer time, then onely during the naturall life of our ſayde ſoveraigne Lady the Queenes moſt excellent Maieſtie, that now is, to whom God long preſerve to his glorie, her Highneſſe honour and ſafetie, and to the common wealch of all her Maieſties Dominions. Amen.

And be it likewiſe enacted by the authoritie aforeſayde, that the Statute of the firſt and ſecond yeeres of King Philippe and Queene Marie, entituled, (An Acte againſt ſeditious wordes and rumors) and one other Acte of Parliament made in the firſt yeece of the raigne of our ſaid ſoveraigne Lady the Queenes Maieſtie, (that now is) whereby it is provided and enacted, that the ſayde former Acte ſhall extende to and for our ſayde ſoveraigne Lady the Queenes Maieſtie that now is, and every claue, article, and ſentence in every of the ſayd Actes and Statutes, ſhall from and after the proclamation of this Acte, be repeated and voyde to all intentes and purpoſes, for ſo long time as this Acte ſhall continue in full ſtrength and perfect force.

Reigin Elizabethæ.

Chap. iii.

An Act for the reformation of the lawes in fines and recoveries.



Ever the appealing of suites, the avoiding of false practices, deceits, devises and misdemeanours, and for helping of negligences and mispissions of Clerkes and Officers, Dawnges, rous to assurances of mens landes and hereditamentes: Be it enacted by the Queenes most excellent Majestie, our soveraigne Ladye, the Lordes Spirituall and Temporall, and the Commons in this present parliament assembled, and by the auctoritie of the same, that every writ of Couenaunt, and other writ, whereupon any fine heretofore hath byn leuped, or hereafter shalbe leuped, the returne thereof, the writte of Dedimus potestatem, made for the knowledging of any of the same fines, the returne thereof, the concord, note and foote of every such fine, the proclamations made thereupon, and the kinges slluer. And also every originall writ of Entree in the posse or other writ, whereupon any common recovery hath bene suffered, or hereafter shalbe suffered or passed, the writtes of Sum, ad warrantizand, the returnes of the said Originalls and writtes of Sum, ad warrantizand, and every warrant of Attourney, had or to bee had, as well of every demandant and tenant as vouchee extant and remaining, or that shalbe extant and in being, may vpon the request or election of any person, be intolled in colles of parchment by such persons, and for such considerations as hereafter in this Acte shalbe mentioned, and that the intollementes, of the same or of any part thereof, shalbe of as good force and validitie in lawe to all intentes, respectes and purposes, for so much of any of them so intolled, as the same being extant and remaining,

were or ought by lawe to be.

And be it further enacted by the authoritie aforesaid, that no fine, proclamations upon fines, or common recouery heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed, shalbe reuerfed or reuerfable by any writ of error for false or incongrue Lattin, rasure, enterlining, misentring of any warrant of attourney, or of any proclamation, misreturning or not returning of the Sheriffe, or other wante of forme in wordes, and not in matter of substance.

Provided alwayes, that this Acte nor any thing therein contained, shal barre or exclude any person or persons from any writ of error, which shalbe had, taken or pursued, within five yerres next after the ende of the Session of this present parliament, upon any fine or recovery heretofore had or suffered. Nor from any writ of error which shalbe had, taken or pursued, upon any fine or recovery heretofore leuied, knowleged or had, which fine or fines, recovery or recoveries, or any part or parcel of them, or any of them now is, or at any time before the first day of June, which shalbe in the yere of our Lorde God 1582. shalbe exemplified vnder the great scale of England, at and by the suite of any person, that is, or may be intituled to haue or sue any writ of error upon any the fines or recoveries heretofore passed: Nor to barre any femme couett, or any person within the age of xxi. yerres, or any person that is non compos mentis, in prison, or beyond the Seas, or from any writ of error to be had or prosecuted, for the reuerfing of any fine or recovery heretofore passed, leuied, or suffered, so that such femme couett, or her heires within seven yerres next after that she become sole, and such person within the age of xxi. yerres, or his heires, within seven yerres next after hee shall come and be of full age of xxi. yerres, And such person that is non compos mentis within seven yerres next after he shall become of sane memorie, and in defaulte thereof, the heires of such person that is non compos mentis, within seven yerres next after the death of such person being non compos mentis. And such person in prison, or his heires within seven yerres next after the same person shalbe at libertie. And such person beyond the seas, or his heires, within seven yerres next after the returne of such person into this Realme of England, or the death of the saide person, If he shall before his returne, dye in any forreine countrey, shal sue, take & prosecute their writtes of error, as their cases severally shall require, for reuerfing of any & said fines or recoveries heretofore passed, leuied or suffered.

Provided alwayes, and be it further enacted by the authoritie

Reginæ Elizabethæ.

Chap. iiii.

title aforesaide, that if any person or persons, shall within the time and yeeres afoze mentioned, commence or sue his or their writtes of errorr for the reuerſing of any the ſaid fines or recoveries heretofore paſſed, which ſuite ſhall fortune to abate by the death of any the parties to the ſame: That then it ſhall and may be lawfull for his and their heires, at any time within one yeere next after the ſaide ſeuene yeeres expired, to haue, ſue and take their writte of errorr, for the reuerſing of euery ſuch fine and recoverie: And if ſuch heire be an infant within the age of xii. yeeres, then within one yeere next after the full age of ſuch infant, any thing in this preſent Act contained to the contrarie thereof, in any wiſe notwithstanding.

And be it further enacted by the authoritie of this preſent parliament, that euery perſon that ſhall at any time hereafter take the knowledge of any fine or warrant of Attourney of any Tenant, or vouchee for ſuffering any common recoverie, or ſhall certifie them or any of them, ſhall with the certifiſcat of the recorder or warrant of Attourney, certifie alſo the daye and yeere wherein the ſame was knowledged: And that no perſon that taketh any ſuch knowledge of any fine or warrant for any recovery, ſhalbe bounden, or by any meanes inforced to certifie any ſuch knowledge or warrant, except it be within one yeere next after the ſaid knowledge taken. And that no Clarke or Diſſicer ſhall receiue any writ of covenant, or writ of entree, whereupon any fine or common recoverie is hereafter to paſſe, vneſſe the daye of the knowledge of the ſame fine and warrant ſhall appeare, in or by ſuch certifiſcat, vpon paine that euery Clarke that ſhall receiue any ſuch writ, ſhal forfeite for euery tyme that he ſhall ſo offende, the ſumme of five pounds. And ſo no attournement in or vpon any fine be entred vpon records, except the partie mentioned to attourne therein, firſt haue appeared in the Court in perſon, or by attourney warranted by the hand of one of the Juſtices of the one bench or the other, or of one Juſtice of the ſaide, vpon a writte of *Quid iuris clamat, quem Redditiū reddit, et per quā ſeruitia*, as the caſe requireth: And that euery entree of attournement hereafter to be made, where there ſhalbe no appearance, as afoze is ſaid, ſhalbe utterly void, and of none effect, without any writ of errorr or other meanes to bee vſed for auoyding thereof.

And be it further enacted by the authoritie aforesaide, that there ſhalbe for euery one office for ſ Inrollement aforesaid, which ſhalbe a continue an office for euery, called the office of Inrollements of writtes for fines and Recoveries, And that the Juſtices

ces of the common pless for the time being (other then the chiefe Justice) shal haue and take the care and charge of and for the Inrollements aforesaid, and shal haue and enioy the said office and the dispositiō thereof, and carefully see & looke to the execution thereof; and in consideration of their charges, payne and travel therein, shal haue and take the summes of money hereafter folloving, and no more, That is to say, for the Inrollement and examination of euery fyne and the partes thereof before mencioned, the summe of vi. s. viii. d. And for the Inrollement of the saide partes of euery recovery and the examination thereof, vi. s. viii. d. And for euery exemplification of the Inrollement of any fyne, five shillings. And for the exemplification & returns of euery writte of entrie, summons & warrantizands and warrants five shillings. And for the search of the Rolles of one pre, iiii. d. And for the copie of one Sherte of paper conteyning xiii. Lines, iiii. d. And that the said Justices or one of them, shal examine the Inrollements of euery such fyne and partes of Recoveries, and forthwith after examination thereof, and immediately after the Inrollement of euery such fyne & partes of Recoveries, write his name that so examineth with his own hand in the Rolle thereof, vpon paine that the saide Justices shal forfeite to our Soueraigne Lady the Ducenes Maiestie, the summe of five pounde, for euery time that they or some one of them shal make defaulte of such examination, or writing of his or their name, as afoze is said. And that it shall and may be lawful to and for the Justices of the saide Court of common pless from time to time, to take order in all things that shalbe convenient and needfull for the Inrollements aforesaid; And vpon examination in the saide Court, to assesse such fyne or amerciamment, vpon any Clarke, Sherife, Deputie, Attourney, & other person for his & their mispision, contempt, and negligence, for not doing or misdoing in any thing, of, in or concerning the said fines & recoveries, or any part of them, or either of the, as by the said Justices of the said Court of comon pless for the time being, shalbe thought meete and conueniēt: The said fyne & amerciamment to be estreated amongst other fines & amerciamentes of that Court, where such offence or mispision shalbe comitted.

And be it further enacted by the auctoritie of this present Parliament, that the Chirographer of Fines of the Common Pless for the time being, for euer shal write and make, or cause to be written and made for euery Countie, where hert Maiesties writte runneth one Table, wherein shalbe contained such contents of euery fyne that shall passe in any one Terme, as hereafter

Reginæ Elizabethæ.

Chap.iii.

hereafter is mencioned, that is to saye, the name of the Countie wherein the Tenementes mencioned in any fine be, the name of euery playntife and deforciant, & of euery Mannour named in the fine if any such be, and of the Townes and places where the Tenementes in such fyne comprised do lye. And the first day of the next Tearme after the ingrossing of euery such fyne, shall fixe euery of the said Tables, vpon some open place of the Courte of Common Plees, and so euery day of the saide Tearme, during the time of sitting of the sayde Courte, And that the sayde Chirographer shall deliuer to euery Sheriffe of euery Countie, his vnder Sheriffe or Deputie, saye wyitten in parchement, a perfect content of the Table, so to bee made for that Shire, in the Tearme that shalbe next before the Assises be holden in the saide Countie, or else meane betwene that Tearme and the said Assises. And that euery such Sheriffe, to whome such parchements with the contents aforesaid, shalbe deliuered, the first day of the next Assises after the deliuerie thereof vnto him, and euery day during the sayde Assises, shall fixe and set vp the same wyting vndefaced in some open place in the courte, where the Justices of the Assise of that countie shall sitte, and shal see the same to continue there, during such time as the saide Justices shall sitte there in Courte, vpon payne that euery Chirographer and Sheriffe, offending against any thing in this act contained, shall forfeyte to our Soueraygne Lady the Queenes Maiestie, the summe of five poundes, the one moitie whereof shall be to the Queenes Maiestie, her heires, & successors, and the other moitie to him or them, that will sue for the same in any courte of Record, wherein no essoigne, protection or wager of Lawe shalbe allowed. And that the Chirographer for the time beyng, shall haue and take for euery such content of euery fyne so set downe in the Table aforesayde, iiii. d.

And forasmuch, as vpon great examination it appeareth, that diuers fines & Recoueries haue byn heretofore leuyed and suffered of diuers Mannours, Mesuages, Lands, Tenementes & Hereditaments, which sometime were the inheritaunce of George sometime Earle of Kent, great grandfather to Hery now Earle of Kent in vse, possession, reuerſion or remainder, whereunto the said now Earle of Kent pretendeth title, in vse, possession, reuerſion or remainder, which if they be erroneous, as is pretended, doe much bary from the generall cause and mischiefe, for which this Statute meaneth to provide: Be it therefore enacted by the authority aforesaid, that neither this Statute, nor any thing therein contained, shall extend to take away any wyit of error, whereunto any person or persons is now, or hereafter shalbe lawfully intituled

intituled for the reuening of the sayde fines and Recoueries, of any of them heretofore leuyed or suffered of any of the sayde Mannors, Mesuages, Lands, Tenements or Hereditaments, which late were any part or parcell of the inheritance of the said George, sometime Earle of Kent, in vse, possession, Reuersion or Remaynder, Any thing in this Statute conteyned to the contrary thereof in any wise, notwithstanding.

Provided alwayes, and be it enacted by the authoritie aforesayde, that it shall be lawfull for the Justices Clerkes, authorized by their warrant in the sayde severall Offices and places, where the same Records, or any of them do or shall remaine, to write out, or introlle the same records, & every part thereof, without any thing to be payed therefor. And that the sayd Records, nor any of them for the writing out, or making the Rolles thereof by the Clerkes of the sayde Justices, otherwile then for the examination thereof by the Justices, shalbe brought or caried forth of the sayd Offices or places.

And be it further enacted by the authoritie aforesayd, That none of the fines or Recoueries heretofore leuyed, passed, or suffered, which shall be exemplified under the great Scale, according to the forme of this Acte, shall after such exemplification had, be in any wise amended.

An acte for the fortifying of the borders towards Scotlande.

Chapter. iiii.



Dasmuch as great care hath ben heretofore taken for maintenance of good strength and force vpon the borders and frontiers against Scotland, and to the end that inhabitantes and tenants there, might be better able, and more encouraged for the defence of the same borders, when any occasion should be offered in that behalfe, all charges of Subsidies and taxes haue bene forborne to be layed or charged vpon the said inhabitantes, & for like respect it hath bene here-

Reginæ Elizabethæ.

Chap. iiii.

tofore also vsed in diuers places within the Countie of Northumberland, Cumberland, Westmerland, & the Bishopricke of Durham, that diuers, and a great part of the inhabitants there, haue enjoyed their tenements and farmeholdes in diuers fauourable sortes and formes of tenure. And for that the Queenes Maiestie hath of late yeres bene oftentimes informed by reports and certificate of her principal officers hauing charge of her borders, that the force of her saide borders both of horsemen and footemen are greatly decayed, and likely daily to growe weaker by many occasions, and among other by decay and ruine of sundry the habitations of those borders, whereby the number of the auncient inhabitants able for seruice, haue bene diminished, and that part of the same habitations, tenauncies and farmes haue bene reduced rather to pasturing of Cattell, then to the maintenance of men of seruice, And that also in some partes the tenants and inhabitants themselves haue diminished their owne strength, by diuiding their houses & farmes, which were meete onely for one able household and familye, into the occupation of sundry persons commonly being their Children or other kinde folks, So as by the smallnesse and meaneenesse of the holding, no one of them is able to fournishe a man for seruice: And that also diuers owners and tenauntes vpon the borders, haue for more gaine then they could haue of natural subiects, letten their lands or feedings or some parte thereof to Scottisshmen, thereby not only weakening the strength of her Maiesties natural subiects, but strengthening foreiners.

For remedy wherof, be it enacted by the authoritie of this present parliament, that the Queenes Maiestie shall and may from time to time, as need shall require, by commission vnder the great Seale of England, make & appoint such & so many Commissioners as to her Maiestie shalbe thought conuenient, giuing vnto them or sixe of the (wherof two to be of the Quorum) full power & authoritie in all & euery of the saide Counties of Northumberland, Cumberland, Westmerland, and the Countie Palantine of Durham, or in any one of them, or in any part of any of the, to inquire by s^u othes of twelue men or more, or by other good meanes according to their discretions, what tenauncies and houses of habitations be synce s^u seven & twentieth yere of king Henry the eight ruined and decayed, and not helde or occupied by men able to serue as horsemen or footemen, according to the auncient duties of those tenauncies, and in like maner to examine and search out the iust or probable causes of those ruynes & decays, and of the wants and euill furnitures of the saide horsemen and footemen,

C.ii.

men,

men, and to giue order & direction for reformation therof with al
 sprede reasonable. And to that end if it shall appere to the said
 Commissioners or such five of them as is aforesaid, that the fault
 of the said ruynes or decapes haue bene onely in the Lordes and
 owners, or their principal officers, or in the officers and farmors
 of her Maiesties manors, landes or tenementes, or any their
 assignes, then the said Commissioners, or such five as is aforesaid,
 shall order, commaunde & inioyne aswell her Maiesties officers,
 farmors or their assignes, as others the Lordes and owners, and
 their officers or farmors, to reedifie or repaire the same tene-
 ments and houses of habitation, and specially the capital houses
 & Barnekyns within a convenient time at their owne charges,
 with restoring like quantities of lands thereunto, as with the same
 hath byn occupied in the said twenty seventh yere of king Henry
 the eight. And shall set paynes for euery default of such reedy-
 fyng or restoring in reasonable time, not exceeding one hundred
 markes for euery such defaulte: And if they shall finde default of
 furniture of the tenants with horse, weapon or armour accor-
 ding to their duties, then they shall by perswasion in respecte of
 the Quenes Maiesties service and the defence of their natyue
 countrey, treat with such Lordes & other whom it may concerne,
 and the freeholders, Leaslers or tenants, for order to be taken
 by their mutual assents for the renewing and continuance of the
 saide service, and for want of reasonable conformitie on ey-
 ther part, may inioyne the said Lordes and al others vnder them,
 and also al the Quenes Maiesties officers, farmors, and their
 assignes, to giue such helpe as the said Commissioners or such five
 as aforesaid shall thinke fit, toward the inhabling of the sayde te-
 nant or tenants, to bee furnished according to the auncient
 duty of the saide tenement, and to take order howe the saide te-
 nant shall thereby be furnished and be able for service, and so to
 see that the same be duely executed, and the sayde Commissioner
 shall take bondes in good summes to her Maiesties vse, of euery
 such person of whom it shall be requisite that the saide auncient
 dutie of such tenements respectiue shall be furnished, kept and
 executed, on paine of reasonable forfaitures, not exceeding forty
 pounds for euery defaulte, and shall assesse fines, and set downe
 paynes for such defaults or wants of furniture, as shall in that
 behalfe bee requisite. And if the inhablenes of the saide te-
 nants shalbe founde to haue growen, or to growe hereafter by
 their owne default or wilfulnesse, without iust occasion: The
 said Commissioners or such five of them as is aforesaid, shall or-
 der, inioyne and directe the said Tenants within some reason-
 able

Reginæ Elizabethæ.

Chap. iiii.

able speedy time, to furnish themselves with horse, armour, and weapon, or with armour and weapon according to their auncient vsage, and their uttermost reasonable abilitie, at their owne charges without any contribution of the Lordes, But at their owne good willes, vpon payne to be expelled by the Lord, owner or superior farmors or their assignes, which so expelling, shall place in such holding or farme another tennant, that shalbe furnished and ready for such seruice as is aforesaid, or else shall within one moneth giue notice to the Commissioners, or to the warden of the same Marches, of his not placing of such tennant, vpon such payne as the Commissioners, or such sixe of them as is aforesaid, shal asseste, not exceeding one hundred marks, and the said Commissioners or warden after such notice giuen, shall place one other tennant sufficient for the seruices aforesaid, And in her Maiesties lands by the officers of her Reuenue, within some time to be lymitted. And the said Landlords, owners, superior farmors or their assignes, and also her Maiesties officers to be also inioyned and bound vpon some payne to cause the same to be executed, and that a newe tennant shalbe placed sufficiently furnished to holde the same. And further where it shal appeare, that within the space of thirtie yerres any tenement or habitation of household, which haue maynteyned any horsemen or footemen, by auncient vsage for seruice toward the frontiers, haue bene by the tenants and owners themselves, or by any other meanes diuided into sundry habitations, or the lands thereunto belonging distributed to other tennautes; whereby any one principall tenement so diuided, or the same tenement with the lande therewith nowe occupied, shall not bee able to maynteine the inhabitant therof to be furnished according to the auncient duety of seruice, That in such case the saide Commissioners or such sixe of them as is aforesaid, shal take order, that for the present time, the persons which shall haue the vse and profit of any part of the same tenements, or of the said lands so withdrauen fro the said principall tenement during the time of their present termes, shal yerely contribute to the principall tennante there resyding, to bee ready and furnished for the said seruice, some reasonable yerely ayde by money, or other wise towards his furnytur meette for seruice.

Provided alwaies, that where the sayde Commissioners, or such sixe as aforesaid shall finde, that meane or undertenants, hauing particuler estates ouer the tertenant (other then the lords and owners) haue bene cause of any such decay, In those cases they shall order and compell all such persons meane (which from vnder the lord, vnto the base or tertenant, shall bee founde

to haue bene cause of such decaye) to contribute to wardes the re-
 edifying or repaying of any tenement ruyned or decayed synce
 the tyme of their interest in the premisses, and also to the helpe of
 the furniture of the partie so decayed: And shall also cause them
 to be bound during their particuler estates, to obserue the order
 of the sayde Commissioners, to bee taken as is aforesayde, to-
 wardes the sayde tenants, inhabitants, and seruice. And because
 diuers persons being lordes and owners, and others also, that
 haue particuler estates vnder the said lordes and owners, which
 are by the sayde Commissioners in diuers cases aboue mencio-
 ned, to bee charged with the contributions aboue mencio-
 ned, may be absent out of the parties, where the said Commissioners
 shall haue auctoritie to execute the saide Commission, and shall
 not appeare vpon Summons and preceptes, and shall haue no
 landes or tenements within the Jurisdiction of the sayde Com-
 mission, to satisfie such paynes or amercements as shalbe set vpon
 them, to performe their order, In such cases the Commis-
 sioners or such fyre of them as is aforesayde, shall create the same
 paynes and amercements into the Exchequer, in like maner, as
 Justices of peace ought to doe for fines and amercements, ta-
 xed or set before them. And thereupon the Barons and Court
 of Exchequer, shall vse all good diligence to procure the leuying
 thereof vpon the parties amerced, or that shal forsayte paynes in
 any part of the realme wheresoeuer the said partie shal remaine,
 And vpon the same answered by any Sheriffe or other officer,
 the same shall be payed by order of the principall Officers of the
 sayd Exchequer, to the Commissioners or some of them, to be by
 them answered, to such to whome the same shalbe due, without
 further warrant from her Maiestie for the same.

Provided also, that whete the Commissioners, or any such
 fyre of them as aforesayde, shal finde that any thing is and ought
 to be done for the furtherance of this seruice, in any of the pre-
 misses in the Queenes Maiesties charge, in respect of any her
 Landes, Lordships or Tenements, or of any thing taken by any
 officers of her Maiesties, or by any other person attending vpon
 the sayd officers or ministers, or by any other meanes to their
 owne vse, In such cases the sayd Commissioners, or such fyre as
 aforesaid, shal certifie to the Lord Treasourer, Chauncello, and
 Barons of the Exchequer, their directions and orders concer-
 ning the contributions by them reasonably thought meete to be
 made in her Maiesties behalfe, or by any her officers or mini-
 sters, to the intent the saide Lord Treasourer, Chauncello, and
 Barons, or any two of them, whetof the Lord Treasourer or
 Chaun-

Reginæ Elizabethæ.

Chap. iiii.

Chauuncelloꝝ foꝛ the tyme being to be one, shall on her Maiesties behalfe direct warrants to her Maiesties receiuers of the sayde Countie, to make payment and allowance, according to the order and direction of the sayd Commissioners, without any other speciall warrant from her Maiestie foꝛ the same, and they shall also compell all other her Maiesties sayde officers and ministers, oꝛ their Deputies, that shalbe ordered by the Commissioners as aforesayde, to make contribution, as is abouesayde, to make payment, and to satisfie the sayde orders in like sort and maner, as if the sayde orders and directions were decreed by the sayde court of Exchequer.

Provided, that the sayde Commissioners, befoꝛe they shall exercise the sayde Commission, shalbe sworn befoꝛe the Loꝛde Chauncelloꝝ of Englande, oꝛ befoꝛe such to whome the Loꝛde Chauncelloꝝ shall direct a writte of *Dedimus potestatem*, oꝛ befoꝛe the Justices of Assize in the Countie where they shall sitte, oꝛ befoꝛe the Justices of peace in the quarter Sessions in the sayd Countie, according to the tenour of anothe, conteyned in a Statute of the seconde and thirde yeres of the reignes of King Philippe and Queene Marie, made foꝛ the reedifying of Castles, and strengthening of the borders within the foresayd countie (leaving out the words (and all Sainctes) expresse in the end of y^e said othe.) And that they shall haue like wages foꝛ them selves & clerkes, as is in the said Statute also expresse, and the same to be leuied out of such summes of money as shall bee assessed by the saide Commissioners, according to the provision conteyned in the foresayde Statute of the seconde and thirde yeres of the reignes of King Philip and Queene Mary, foꝛ the allowance of the like Commissioners appoynted to execute the sayde Statute.

Provided also, that they shall haue the like anethoritie, to make and direct writtes, precepts, warrants, and other commandements, to all Sheriffes, Bailiffes, Coronors, and all other ministers, officers and persons, to appeare befoꝛe them, & to execute their commandements, And shall in all causes haue like anethoritie to execute this commission warranted by this Statute, as by the sayd Statute of the seconde and thirde yeres of King Philippe and Queene Marie, was giuen foꝛ the execution of the sayde Statute. And that the like Commissions shall be made in causes requisite by the Chauncelloꝝ and officers of the Duchie of Lancaster, and by the Bishoppe of Durham in the Countie palatine of Durham, respectively, according as is mentioned in the foresaid Statute of the seconde and thirde yeres of the reignes of King Philippe and Queene Marie, foꝛ commissions

to be made by them for execution of the said statute.

Provided, that the aforesaid Commissioners shall not by any their order or direction, intermeddle with any lands of her maiestie, or of any other person that are presently in Lease or demise, or graunted by decde indented in writing, or by copie of Courte rolle within any manour, where, of auncient time the custome hath bene to graunt the same landes by copie of Court rolle, but that the same Lessees by Indenture, and copie holders shall continue at the pleasure of the Lessors, or the graunters of the sayd copie, or their heires, as befoze the making of this statute they might haue done, and yet, if heretofore the said lands so leased by demise, or graunted by copie of Courte rolle, shall appere to haue bene chargeable to seruice, and that the auncient Tenants thereof haue vsually done seruice for the borders, and in the sayde Indentures or copies, or in the Court Rolle whereof the same are coppes, there be no covenants or clauses, nor otherwise any bonds taken for the sayd seruices to bee done and performed: In these cases, for reuiving or furtherance of the sayd seruices, the sayd Commissioners, or such sixe of them as is aforesayd, shall vpon due examination first had, and triall made, take order either with the Lords and Lessors, or with their officers, or with their Tenants, or with both of them, to cause any Tenements ruined or decayed, to be reedified or repayed, as is befoze limyted, And also to cause the sayd seruice or seruices to be reuived and mainteyned for the defence of the said borders, either by speciall covenants to bee contained in writing betwixt the sayd Lord and Tenant, or otherwise.

Provided also, and be it enacted by the auctoritie of this Parliament, that all orders to be set downe by the sayd Commissioners by vertue of this Statute, and by auctoritie of the said Commission or Commissions, or any of them, shall stande and be in force to continue, except the same shalbe by themselves or such number of them as is aboue limited, or by other Commissioners auctorized by her Maiestie, according to the forme of this Acte, vpon examination and good consideration, and vpon calling all persons interested befoze them to be heard, otherwise altered or changed in the whole, or in part.

Provided also, that hereafter all Farmours or Lessees, that shall haue interest hereafter in any Landes, Tenements, or Hereditamentes, within the sayd Countie of Northumberland, Cumberland, Westmerland, and the Bishopricke of Durham, or in any one of them, by vertue of any newe Lease to be made after the ende of this Session of this Parliament, shal personally

Reginæ Elizabethæ.

Chap. iiii.

ly dwell vpon the sayde Landes and Tenementes, being houses of habitation, or else shall personally be resident and dwelling in and vpon some other house and habitation within one of the sayde Countie, and shall appoynt and assigne a meete person to inhabite vpon the sayde Farme or Tenement so dimised, in such sort as the Inhabitaunt may reasonably lye thereupon, according to the qualitie of the Farme, and shall performe the sayde seruice. And if the sayde Farmer shall depart out of the sayde Countie, to dwell or reside in any other place, he shall within one twelue moneths after his departure, surrender his sayde Farme to him or them that then shall haue the immediate reuer- sion or remaynder, so as he may diuise the same to the afore- sayde Inhabitaunt afore assigned, or to some other to be resident and dwell thereupon, and keepe hospitalitie meete for the qualitie of the saide Farme, for the better replenishing of the sayde coun- tries with people, Or else it shall be lawfull for him or them that shall haue the immediate reuer sion or remaynder, after such twelue moneths, and his absence continuing so long, to reenter as though the sayde Lease were determined.

And be it enacted, that vpon cause notoriously giuen by any Lordes or owners, or their Officers, or by any her Maiesties Officers, Farmers, or their assignes, to the hinderance of the said seruice, as is aforesaide, and vpon complaynt made thereof to her Maiestie, or to her Commissioners, or any of them, or to the Wardens of the borders, The saide Commissioners, or such one of them as is aforesaide, that then shall haue their Commis- sion in force, or in default of such Commission then being in force, such other Commissioners, to whome the Quenees Maiestie shall and may vpon the saide complaynt or certificate from the Warden, direct a newe Commission to the like sort & number of Commissioners, as in the Statute is expressed, shall examine the cause or complaynt of the certificate, and shall take order be- twixt the Lord and the Tenaunt, that by repairing of the same habitation, and other helpes abovesayde, the Tenaunt may be able, bounden and charged to inhabite the same Tenement, and do the seruice vpon the borders, according to his tenure.

Provided also, that this present Statute shall continue during her Maiesties life onely (which God long preserve.)

Be it also further enacted by the auctoritie aforesayde, & one acte & statute made at the Parliament holden at Westminster, in the second & third yeres of the reignes of the late King Philip and Queene Marie, intituled, an Acte for the reedifying of Castles and Fortes, and for the inclosing of groundes vpon the

borders towards Scotland, and every article, by aunche, clausse, and sentence therein conteyned, except the sayde wordes (and all Saintes) shall be from henceforth fully reuyued, and shall haue continuance for, and during the terme of twentie yeres next ensuing the last day of this present Session of Parliament, And from thenceforth to the ende of the Parliament then next following: And that the same acte and statute in euery behalfe, shall from thenceforth be interpreted and expounded, to extende as fully and largely to the Queenes Maiestie that now is, her heires, and successors, during the sayde time, for the good execution of the same, as euer it did, or was meant to extende to the sayde late King Philippe and Quene Marie, any thing to the contrary notwithstanding.

Provided neuerthelesse, and considering that the special purpose of the premisses in this acte conteyned, is to haue the people and inhabitantes of the sayde Counties of Northumberland, Cumberland, and Westmerland, and of the sayd Countie Palantine of the Bishopricke of Durham, which of auncient time were accustomed, and by the customes of the said countries are, or ought to serue on horsebacke, or on foote, for defence of the frontiers, to be able for seruice, and to bee ready furnished for the sayde seruice:

Therefore be it enacted, that if the Lord and owner of any Tenement, or place of habitation, or Farme, whereupon any such Tenaunt bounde by such custome to serue, doeth now dwell, or where at any time synce the xxvii. yere of King Henry the eighth, any such Tenaunt bounde by custome to such seruice, dyd dwell, shall place and cause to inhabite thereupon a Tenaunt able to serue on horsebacke, or on foote, according to the auncient custome of the same Tenement or Farme, and so for that purpose to be alwayes, when neede shall require, furnished for the sayd seruice requisite. In such case the sayde Commissioners shall not by vertue of this acte, intermeddle betwixt the Lord or owner and the Tenaunt, but that it may be lawfull for the sayd Lord or owner therein, to graunt to his Tenaunt such state, and in such sorte, as lawfully he might haue done before the making of this statute. So as the sayde Tenaunt be as aboue is sayde, able and ready with furniture to do his accustomed seruice, when time shall require for defence of the frontiers.

And in any such case, the sayd Commissioners shall not by vertue of this acte, intermeddle betwixt the Lord or owner and the Tenaunt, but that it may be lawfull for the sayd Lord or owner therein, to graunt to his Tenaunt such state, and in such sorte, as lawfully he might haue done before the making of this statute.

❧ An Acte touching Iron
milles, neere vnto the citie of London,
and the riuer of Thames.

Chap. v.



Whereas by reason of the late erection of sundry Iron milles in diuers places of this Realme, not farre distant from the citie of London, & the Suburbes of the same, or from the downes and sea coastes of Sussex, the necessarie prouision of wood, aswell tymber fitte for buyl- ding, and other bies, as also at other selleable woods seruing for sawell, doeth daily decaye and become scant, and will in

time to come become much more scarcer, by reason whereof the prices are growen to be very great and vnrasonable, and in time to come will be much more, if some remedy be not prouided, to the great damage not onely of the inhabitants of the sayde citie of London and the Suburbes of the same, but also to all others the Quenes maiesties most louing subiectes, hauing occasion daily from al parts of the realme to repayre vnto the same and the places abouesayd. For remedy whereof, Be it therefore enacted by the Quenes most excellent Maistie, the Lords spirituall and temporall, and the commons in this present Parliament here assembled, and by the auctoritie of the same, that no person or persons from and after the feast day of the natiuitie of Saint Iohn the Baptist next comming, shall conuert or employ, or cause to be conuerted or employed to cole or other sawell, for the making of Iron or of Iron mettall in any Iron milles, furnes or hammer, any maner of wood, or vnderwood nowe growing, or which hereafter shal grow within the compasse and precinct of xxii. miles from and about the citie of London or the Suburbes of the same, or within xxii. miles of the riuer of Thames, frō Dorchester in the Countie of Oxford downwards the saide ryuer of Thames, nor within foure miles of the foote

of the hilles called the downes betwixt Trundell and Bemsey, in the countie of Surrey, nor within foure myles of any of the towncs of Wynchelsey, and Rye, nor within two myles of the towne of Bemsey, nor within three myles of the towne of Hastings in the sayde countie, vpon payne to forfeite for euery load of wood so to be employed or conuerted into cole or other setwell for the making of Iron or Iron mettall, in any Iron mil, furnace or hammer, as is aforesaid, fourtie shillings of lawfull money of Englande, the one halfe of all which forfeitures to bee to our soveraigne Lady the Queenes Maestie, and to her heires and successours, and the other moitie to him or them that will sue for the same, by originall writte, bill, plaint, or Information, wherein no essoine, protection, or insunction, or wager of lawe shall be admitted or allowed.

Provided alwayes, that this Acte shall not extende to any woods growing or to growe in any such part of the weildes of Surrey, Surrey, or Kent, within the saide twentie two miles of the saide cite of London & the riuer of Thames, as is distant above eightene miles from the cite of London, and eyght miles from the sayde ryuer of Thames.

And be it likewise further enacted, that fro henceforth no new Iron woorkes shalbe erected within twentie two miles of the sayd cite of London, nor within fourteene myles of the ryuer of Thames, nor within foure miles of the downes aforesayde, or of the sayd towncs of Bemsey, Wynchelsey, Hastings, or Rye, vpon payne of one hundred poundes of lawfull money of Englande, likewise to be recovered and employed, as is aforesayde.

Provided also, that this act, nor any thing therein contened, shall extende to any woods or vnderwoods nowe standing or growing, or which hereafter shall stande or growe in or vpon any landes of Christopher Darrel Gentleman, in the parish of Newdigate, within the weilde of the countie of Surrey, which woods of the sayde Christopher haue heretofore bene, and be by him preferred and coppied for the vse of his Iron woorkes in those partes.

Reginæ Elizabethæ.

Chap. vi.

An acte for the repayring of Douer Hauē.

Chap. vi.



Whereas the Marchauntes of this Realme, and other passing through the narrow Seas, susteine verely great damages for want of convenient harbour vpon the coast of the sayd narrow Seas, wherunto they may enter to auoide imminent daunger of tempests, pyrates, or the common enemye in time of warre, her Maiestie minding to prouide for their safety, vnderstanding by the Lordes of her honorable priue Councel and other, that Douer was the most convenient place for harbour: And that skilfull men haue contriued a probable plat, and vndertaken the finishing and perfecting thereof, for a competent summe of money, in accomplishing whereof, as well her Maiestie, of her highnesse libéralitie, as the Inhabitants of the sayde Towne of Douer to their abilitye, haue already bestowed greatesummes of money in and about the same. Nowe for the better furtheraunce and finishing thereof, Be it enacted by the auctoritie of this present Parliament, that for euerie Ship, Vessel or Crayer, wherof any of her Maiesties Subiects shall bee owners or partowners, of the burden of twentie Tonnes or bpward, loading or discharging within this Realme, and passing to or fro any forein countrey, during the space of seauen yeeres next comining, from fortie dayes after the ende of this Session of Parliament, there shall be payed for euerie such voyage, by the master or owner of such ship, vessel or Crayer, the summe of .iii. d. for euerie tonne of the burden of such ship, vessel or Crayer, (except vessels laded with sea cole or Grindstones) & for euerie Chaddon of Sea cole or Grindstone, peny halfe peny. The same to bee payed vnto such Customier or customers, or Collector of Customes or Subsidies, with whome the entrie shall be made, or their Deputies within this Realme

Realme from whence such shippes shall come, or where such shippe or shippes, or any of them shall arrive, before they load or unloade such goods within the Realme, taking of the sayd Customet, Officer or Deputie, a writing testifying the receipt thereof to the sayd vse, for which writing he shall paye nothing. The sayd summes so to be collected, to bee payde over by such Customet or Officer, to the receipt of her Maiesties Exchequer, and to be from thence deliuered to the vse aforesaid, by warrant of the Lorde Treasurer or Channellor of the Exchequer for the time being, without further warrant from her Maiestie. The account of the number of the sayde Tonnes, to be made according to the entrie of euery such shippe, vessel or Crayer in the custome house. And that no entrie of such Vessel shall be receiued or allowed in any office of her Maiesties Customes or Subsidies, without true information by the othe of such Owner, Master or Shipper, concerning the burden of such Shippe, Vessel or Crayer, nor without or before payment of the summes aforesaid, by the Shipper, Master or Owner of such Shippe, Vessel or Crayer, of which payment the said Master, Owner or Shipper shall haue allowance of the Marchauntes, according to the rate of the goods in such Shippe, Vessel or Crayer by way of auerage. And that euery customet or officer, in whose wilfull default the sayd summes shall not be truly collected and answered, as is before appoynted, shall forfeite to the vse aforesaid, tenne times asmuch as so shall not bee collected or answered by his wilfull default, to be recovered by the Mayor and Iurates of the Towne of Douer, to the sayd vse, against such customet or officer, by action of Debt in any Court of Recorde, In which action, no Essoyne, protection or Wager of Lawe shall be admitted or allowed.

An

Reginæ Elizabethæ.

Chap.vii.

An acte for the increase

of *Mariners*, and for maintenance of the *Nauigation*.

Chapter.vii.



Here the Marchantes and Fishmongers of diuers places of this Realme, haue for their priuate gaines, gone & sent into other Countreies and forreine Realmes, and there ingrossed into their handes great numbers and quantitie of fishe taken by Aliens and strangers, being in goodnes fatte inferiour to the fishe taken by Englishmen in the Islande voyages, And to the buying of the same fish, haue conueyed and carried great masses of money forth of this Realme, and haue victualled and furnished this Realme with forraine fishe and herring, the subjects whercof haue bene accustomed in times past, to serue the same with fishe and herrings gotten by their owne trauell, and diuerse other forreine Regions & countreies: by reason of which unnatural dealinges of the saide Marchantes and Fishmongers, and vsuall eating of fleshe on the accustomed and vsuall fysh dayes, there be of late decayed, not onely the number of two hundred sayle and more, of good and seruicable shippes, which yerelely traded to Island for taking of fish in this Realme vsuallly tolde, but also a great number of Mariners and Seamen, fit for the seruice of her Maiestie and her saide Realme, for the defence thereof in tyme of warres.

For redresse whereof, Be it enacted by the Quenes Maiestie our Soueraigne Lady, the Lordes Spirituall and Temporall, and the Commons in this present parliament assembled, and the auctoritie of the same, that it shal not be lawfull to any natieue Englishman, woman, or denizen, at any tyme after the ende of this session of this parliament, directly or indirectly, by them selves, their seruants, factors, agents, deputies, or friends, or any

or any of them whatsoeuer to go or sende into any other forreine Countrey, Realme or Dominion whatsoeuer, for the buying, providing, or bringing into this Realme, out or from any the said forreine Realmes or Dominions out of the Queenes obedience, of any salted fish, or salted herrings, nor shall make any agreement with any Alien or Stranger, or any other for such bringing into this Realme, by any Alien or Stranger, of any salted fish or salted herrings: And that no salted fish, nor salted herrings shalbe brought hither out of the sayd forreine Realmes and Dominions, but by the mere owners thereof, or deputies of them being Aliens and Strangers, without the procurement of any subject of the Queenes Maiestie, her heires or successors, or of any denizen, and by none other person or persons, vpon payne that such Englishe person or Denizen, offending agaynst this Act, shall forfeite the same salted herrings, and salted fish, or the value thereof, the one moytie wherof shalbe to the Queenes Maiestie, her heires and successors, and the other moytie to him or them that shall first seyle the same fish or herrings, or first sue for the value thereof, by action of debt, bill, playnt or information, wherein no essoyne, protection, or waiger of Lawe shall be allowed.

And be it further enacted by the authoritie aforesayde, that it shalbe lawfull for all and euery her Maiesties subiectes, being owners of any shippes, barkes, or vessels, to receyue and take into their sayde shippes, barkes, and vessels sayling with crosse sayles, any herrings or other fish, which any Alien or Stranger shall buy and provide of any her Maiesties subiectes within this Realme, And the said herrings and fish, or any of them, may transport into any partes beyond the seas, in their sayde shippes or vessels with crosse sayles, so as the said Aliens or Strangers paye to her Maiestie her Customes and ducties for the same.

And be it further enacted, that all Aliens and Strangers shal from henceforth, and from time to time, pay to her Maiestie for all salted fish and salted herring to bee brought into this Realme, all such like Customes and Impositions, as are or shalbe imposed and set vpon any her Maiesties subiectes in those forreine Regions and Countreies, Portes and Townes, from whence the sayde salted fish and salted herrings shalbe shipped and brought for the like fishes and herrings, ouer and besides the ordinarie customes, which haue bene payde to her Maiestie for the same.

Provided alwayes, and be it enacted by the authoritie aforesayde, that if any person or persons shall doe, suffer, cause, or procure

Reginē Elizabethæ.

Chap. viii.

cure any fraudulent, deceitfull, or colourable act whatsoeuer, whereby any part of this Acte before mencioned, shall or may be colourable, fraudulently or deceitfully avoided, or frustrated, contrarie to the intent thereof, that then every person so offending, shall forfeite and lose for every such offence, the summe of two hundred pounds, the one moytie whereof shall be to our Soueraigne Ladie, her heires and Successours, and the other moytie to him or them that will sue for the same in any Court of Recorde, by bill, plaint, or information, wherein no Eslopie, Protection or Wager of Law shall be allowed. And that if any Alien or Straunger shall wilfully conceale any acte or thing whatsoeuer, to be done to the deceyving, colouring or defrauding of any braynche or article of this estatute before mentioned, that then every such Alien and Straunger, shall forfeite and lose for such offence to the Queenes Maiestie his Ship and vessell, and all that thereunto apperteyneth, to be seiled to her Maiesties vse, by any her Maiesties subiects: And moreover, that if any Alien or Straunger do come, shall bring into any Haven, Port, Creeke or Towne of this Realme, any salt fish, or salt Herrings, which shall not be good, sweete, seasonable and meete for mens meate, and shall offer the same to be solde, and shall be warned by any officer of such Porte, Haven or Towne (where the same shall be offered to be solde) that the same be not seasonable nor meete for mens meate, that then if he or they with their sayde fish, shall after that, offer any of the sayde vnseasonable fish, to be solde to any person within this Realme, or shall not depart with the same from the sayde haven, port or town, so soone as conveniency will serue, that then all and everie person owners thereof, shall lose and forfeite to our sayde Soueraigne Lady, all the said vnseasonable fish vnmeet for mans meate, as before is said.

Provided alway, that this act or any thing therein contained, shall not extend or be prejudiciall to any providing or bringing of fish in, or out of the countrey of Irlande, Shotlande, or Newfoundlande, or any the partes or Seas thereunto adjoining, or on the Scottissh seas, nor to any fish that shall be killed, taken and salted by the Queenes naturall subiects, any thing in this act to the contrarie notwithstanding.

Provided also, that it shall be lawfull for all the Queenes Subiects, now being the trade of bringing in of staple fish and Lings from beyond the Seas, to bring in English bottomes into this Realme, for the better supplie of present furnishing of this Realme with victualle, all maner of staple fish and Lings being good and wholesome for mans bodie, during the

the space of three yeeres next following the end of this Session of Parliament, any thing in this act to the contrary notwithstanding.

And be it likewise enacted, that all ordinances of the fishmongers of London, or of any other company or corporation whatsoever, made or to be made, for restraint of any person to take or sell fish, or to buy or provide any fish of any merchant, or other within this Realme, shalbe repelled and boyde. And that every person or bodie corporate, that shal make or execute any such ordinance or restraint, shal for every such offence forfeite one hundred poundes, the one moitie thereof to the Queenes Maestie, her heires and successours, and the other moitie to the partie grieved that will sue for the same by action of debt in any court of recorde, wherein no esloine, protection, or waiger of lawe for the defendant, shalbe admitted or allowed.

An act for the true melting, making and working of Waxe.

Chap. viii.



Wete by the goodnesse of God this lande doeth perle great plentie of Honie and Waxe, as not onely hath, and doth suffice the necessarie uses of the Queenes Maestie and her subjects to be spent within this Realme, but also a great quantitie to be spared, to be transported into other Realmes & countries beyond the Seas, by waye of marchandise, to the great benefite of her Maestie & the realme, and yet neuerthelesse a great part of the waire made and melted within this Realme, hath bene founde to be of late very corrupt, by reason of the deceitfull mixture thereof, and the makers and sellers of Honie also haue not onely bled

put

Reginæ Elizabethæ. *Chap. viii.*

put the sayd Honie in caske of deceitful assize, but haue used also
deceitfull myxtures of the same: Be it therefore enacted by the
authoritie of this present Parliament, that euery person with-
in this Realme, or the dominions of the same, which shall after
the feast of Pentecost next ensuing, in the making and melting
of ware, by any way or meanes vse or practise, or cause to be used
and practized any maner deceite by mixture, and mingling the
same with Rosen, Tallow, Turpentine, or any other deceitfull
thing, to the intent to sell and vtter the same, or offer the same
to be solde or vttered for Ware, to any person or persons what-
soeuer, shall forfeite & lose the same mingled or corrupted ware.
And if the same corrupted Ware shall happen to be solde, be-
fore such fault and corruption shalbe found, that then the sayde
melter, mingler or corrupter, causer or procurer thereof, shall
forfeite for euery pounde two shillings, whereof the one halfe
to the Queenes Maiestie, the other halfe to the party deperied,
if he will sue for it, or any other person or persons that will sue
for the same, in any the Queenes Maiesties Courtes of Re-
corde. And to the intent that the offendours in these kinde of
deceits, may be the better and sooner knowen and found out:

Be it enacted by the authoritie aforesaide, that euery melter
and maker by of wrought Ware, shall haue for himselfe a
Stamp or marke, of the breadth of six pence, wherein two
letters shalbe plainly grauen, signifying his name & surname,
and with the same shal stamp euery piere of Ware, to be prin-
ted or stamped triangle, in three places vpon the outside of the
upper parte of euery piere so melted and cast, vpon the paine to
forfeite the value of euery piere or Cake solde, or offered to be
solde, and not so stamped, or marked.

And be it further enacted by the authoritie aforesaide, that
no maner of person ne persons within this Realme or the Do-
minions thereof, shall from the sayd feast of Pentecost, melt,
mire, worke or sell any maner of wrought Ware, Stufte, or
ware wrought with Ware, as in Lights, Staffroches, Red
ware, or Sealing ware, Bookecandle, Sealingcandle, Sea-
ring of dead coppes, Lynches, Greneware, Redware, or any
other worke or thing whatsoever, to be done or wrought with
ware to be put to sale, but with good, holsome, pure and com-
ment stufte, meete in such wares or worke in comment quan-
tity to be used. And that euery person or persons, that shall
worke or sell such stufte, or wares of ware, haue a Marke,
Stamp or Seale, to set on his or their worke, by him or them
wrought or solde, to the intent that if any deceite be used or
done, it may be knowen who were the workers thereof, & such
person or persons as shalbe founde or knowen to worke or sell,

or to sale, put; any such false ware; or wares brought with
ware to be put to sale, shall forfeite and lose the same corrupted
or deceitfull ware & wares, the one halfe to be to the Queenes
Majestie, her Heires and Successors, and the other to the par-
tie deceived, if he shall sue for the same; or other wise to him or
them that will sue for the same by Action of Dettes, Bill, Plaint
or Information in any the Queenes Majesties Courtes of
Iherowde, wherein no Essoyne, Protection or wager of Lawe
shalbe allowed.

And be it further enacted by the auctoritie aforesayde,
that every person and persons whosoever, which after the
feast of Pentecost aforesayde, shall sell or offer to be solde,
any corrupted and false mingled ware, shall lose and forfeite
the sayde ware; the one moortie thereof to be to the Queenes
Majestie, and the other to the partie deceived if he shall sue
for the same, or other wise, to him or them that will sue for the
same as is aforesayde. And that all Barrells,ilderberkins and
firkins filled with Hony by the maker and filler, shalbe mar-
ked with two letters standing for his name and surname, eacho
letter of an Inche and a halfe of length at the least; burnt
vpon the head of the Cask; with a whole Yron, vpon the
paine to forfeite sixe shillings eight pence, for every Barrell,
ilderberkin, firkin or Cask; solde, or offered to be solde, and
not so marked; and that if any person or persons doe, or shall
after the xxiii. day of August next coming, after the end of
this Session of Parliament, fill and sell, or cause to be filled or
solde, or offered to be solde any Barrell, ilderberkin or firkin
with Hony, for or in the name of a Barrell, ilderberkin or fir-
kin, containing lesse then thirtie two wine Gallons the Bar-
rell, sixteene wine Gallons the ilderberkin, and eight wine Gal-
lons the firkin: Every person and persons so offending, shall
forfeite and lose for every halfe Gallon so lacking, v. s. of Eng-
lish money: And every person and persons, that shall corrupt the
Hony so solde, or to be solde, with any deceitfull mixture, shall
forfeite the Barrell or Kessel, and Hony therein conteyned, the
one moortie whereof to be to our fouraunge Lady the Queenes
Majestie, and the other to him or them that will sue for the same
as aforesayde.

And be it also enacted, that this acte as touching the marking
of Ware; shall not extend to any person or persons, selling the
Ware, of their owne Goods in open marketts, in small peeces,
nor to any servant or servants, or other persons, mingling or
corrupting any Ware by commandement of their master or of
ther person having auctoritie over them, so as they will con-
fesse the same.

Chap. ix.

**An Act for the abolishing
of certain decenfully stuffed in dying
of Clothes &c.**

Chapuis

Wares of late yeres there
hath byn brought into this
Realeme of Englande, from
beyond the seas, a certaine
kinde of ware of stiffe called
Logwood, also Blackwood,
where with dyers, Dyers,
Clothyers, Bannmakers and
others haue, and doe everyday
dyers, broade, Clothes,
Barberes, Attocolles, Pen-
nions, Batts, Cottons,
Dolymme, Batts, Capped,
Flannels, and mals, also
Dorbadges and other things
Foral-

Forasmuch as the colours made with the said stufte called Logwood, alias Blockwood, is false and deceitfull, and the clothes and other thinges therewith dyed, are not onely sold and vended to the great deceyte of the Queenes louing subiectes within this her Realme of Englande, but also beyond the Seas, to the great discredit and slander, as well of the Marchantes, as of the Dyers of this Realme: For reformation whereof, be it ordeyned, enacted and established by the Queene our Souereygne Ladye, and by the assent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the auctoritie of the same, that all such Logwood, alias Blockwood, in whose handes soeuer the same shalbe found, after the feast of Saint Michael the Archangel next ensuing, shalbe forfeited, and openly burned by auctoritie of the Maior, or other head Officer of the Citie or Towne corporate, or of two Iustices of peace of the Countie where it shal be founde, and that, from and after twentie dayes after the ende of this Session of Parliament, no person, of what degree soeuer he be, shal dye, or cause to be dyed any Cloth, Wooll, or any other of the premisses aboue mentioned, or any other thing whatsoeuer, with any of the sayde ware or stufte called Logwood, alias Blockwood, vpon payne that the Dyer of every such feuerall thing so dyed, shal forfeite the value of the same thing so dyed: the one moortie to the vse of the Queenes Maiestie, her heires, or successours, and the other moortie to him that wil sue for the same, by action of debt, byll, playnt, or information in any Court of Recorde, in which sute, no essoyne, protection, wager of lawe, nor writte of privilege for the defendaunt, shalbe admitted or allowed: And the partie offending, beyng thereof convicted, to remaine in prison without baile or mainprise, till he haue satisfied the same value.

And where Clothes, Barles, and hosen haue bene dyed with a colour which is commonly called a galled & mathered blacke, or with a colour commonly called a doornacke and mathered blacke; which colours, although they carry a shewe of a good, true and perfect colour of woaded and mathered blacke, and of such as doe buy the said colours, either in Cloth, Barley, or hosen, taken so to be, notwithstanding in prooffe and wearing prooue contrary, to the great deceyte of the Queenes subiectes, and discrediting of the cloth, and other thinges so dyed: For reformation whereof, be it enacted, that no kinde of Cloth or Clothes, Barles, Wapes, Frisadoes, broad or narrow, hosen, or other thinges, being in the nature of cloth, shal from hencefoorth be mathered for a blacke, except the same be first grounded with
woade

Regine Elizabethæ.

Chap. ix.

woade onely, or with woade and a nele, alias blue Inde, but lesse the madder be put in with thomacke or gallys. And that from and after twentie dayes after the ende of this Session of Parliament, no person of what degree soeuer he be, shall dye, or cause to be dyed any cloth or clothes, or other thinges aboue sayde, of what kinde or nature soeuer, mathered for a blacke, not hauing a ground of woade onely, or of woade and a nele, alias blue Inde, but lesse the madder be put in with thomacke or gallys, vpon payne that the Dyer of euery such seuerall thing so dyed, shall forfeite the value of the same thing so dyed, the one moitie thereof to the use of the Queenes Maiestie, her heires or Successours, and the other moitie to him that will sue for the same, by action of debt, byll, playnt or Information, in any Court of Recorde; in which lute, no Ellope, protection, wager of Lawe, nor writte of priuiledge for the Defendaunt, shall be admitted or allowed, and the partye offending being thereof convicted, to remayne in prison, without bayle or mainprise, till he haue satisfied the same value.

Provided alwayes, that it shall and may be lawfull to dye all maner of galle blacke, thomacke blacke, alias playne blacke, wherein no mather shall be used, as heretofore lawfully hath bene done, this Act or any thing therein contraryed to the contrary, notwithstanding.

Provided alwayes, that euery Dyer that shall after the feast of Pentecost next ensuing the ende of this Session of Parliament, dye any of the sayde blacke Clothes, karkies or friseadoes, mathered and not woaded, shall before he deliuer any of the same forth of his hands, fixe a seale of lead to euery of them, in which the letter M, signifying mathered, shall be conteyned, vpon payne that euery Dyer offending to the contrary, shall forfeite for euery yard of the sayd Cloth, karkies, Bayes or friseadoes, the summe of iij. s. iiii. d. And that if any person shall sell any Cloth, karkies, Bayes or friseadoes mathered and not woaded, after the sayd feast of Pentecost, and shall not first giue notyce to the buyer thereof, that the same is not woaded, shall forfeite also the double value of all such Cloth, karkies, Bayes and friseadoes, as he shall so sell, which forfeitures shalbe to the partie that shall sue for the same in any Court of Recorde, by action of debt, byll, playnt or information, wherein no ellope, protection, or wager of Lawe shall lye.

An

An act for the preseruation of Fesaunts and Partridges.

Chap.x.



Here the game of fesaunts and Partridges, is within these few yeeres in maner vterly decayed and destroyed in all partes of this Realme, by meanes of such as take them with Nets, Snares, and other Engines and deuises, aswell by day as by night, And also by occasion of such, as doe ble hauking in the beginning of haruest, before the pong fesaunts and Partridges be of any big-

nelle, to the great spoyle and hurt of Coue & Grosse then standing and growing in the fields:

For reformation thereof, be it enacted, established and ordeyned, by the Queene our Soueraigne Ladie, the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, that no maner of person or persons, of what estate, degree or condition soeuer, shall at any time or times, from and after the first day of Aprill next ensuing, take, kill or destroy any fesaunts or Partridges, with any maner of Nettes, Snares, Ginnes, Enginnes, Robolting, Lobolting or other deuises whatsoeuer, in the night time, vpon paine of forfeiture for euery fesaunt so taken, killed or destroyed, contrary to the true meaning of this act, the summe of twentie shillings, and for euery Partridge so taken, killed or destroyed, the summe of ten shillings, the which saide penalties and forfeitures, if euery person or persons so offending, doe not pay within tenne dayes next after his or their conuiction, then to haue one moneths imprisonment without bayle or maynepryse, and further, ouer and besides such forfeiture or imprisonment, to put in bond with good sureties, for the space of two yeeres, that he shall not take, kill or destroy any Partridges or fesaunts, contrarie to the true meaning of this act, the same bond to be taken by some Justice of the

Reging Elizabethæ.

Chap. xi.

of the peace, of the Countie where the said offence shalbe committed, The one halfe of all which sayde severall forfeitures to be to the chiefe Lord or Lords of the Liberties, Lordshippes or Mannours, upon and in which the same shalbe so taken, killed or destroyed, And the other moztie to such person or persons as will sue for the same in any of her Majesties Courts of Record, by Bill, plainte or Information. In which sute, no Escoyne, protection or wager of Lawe shalbe allowed.

Provided alwayes, that if such person, to whome the one halfe of the sayd forfeiture is appointed for the taking, killing or destroying of Partridges and Feasauntes, contrary to the tenour and true meaning of this acte, shall dispence with, licence, or procure any taking, killing or destroying of any Partridges or Feasauntes contrary to the forme of this acte: That then all such forfeitures and penalties as such person or persons shoulde have, by vertue of this acte, shalbe to the poore of the parish, where such taking, killing or destroying shalbe committed: And that to be leuied or recovered in manner and forme aforesayde, by any one of the Churchwardens of the parish where the offence shalbe committed.

And be it likewise further enacted by the authoritie aforesayde, that no manner of person or persons from and after the sayd first day of April, shal have, or with his Spaniels hunt in any ground where cozne or other graine shall then grow, (except it be in his owne ground) at such time as any Eared or Codded Cozne or graine shalbe standing and growing upon the same, nor before such time as such cozne & graine shalbe shocked, cocked, hiled or copped, upon paine of forfeiture for every time that he shall so have or hunt as aforesayde (without the consent of the owner of the Cozne or graine) to such person or persons as shall be owner of the sayde Eared or Codded cozne or graine foure shillings, and the same to be leuied or recovered in manner and forme aforesayd.

Provided also, and be it further enacted by the authoritie aforesayde, that the Justices of Assises in their circuits, and Justices of the peace in every Shire, Countie and Towne corporate within this Realme, in their Sessions, within the severall limits of their Commission, and Stewards of Lanes, Liberties and Lawdayes, within their severall Jurisdictions, shall and may by vertue hereof, heare, enquire and determine of all and every offence or offences, which shalbe committed within the precinct of their Liberties, Jurisdictions or Franchises, against the tenour of this acte. And further, that every Justice of the peace within every county of this Realme, shall within the Limits of his Commission, have power and

authoritie by vertue hereof; to examine all offenders in the
 permysses within the Countie where he is or shall be Justice
 it so be that the sayde offence or offences, shall not before be
 heard or determined by the Justices of Assise in their circuits;
 or by the Sheriwades of Heeres, Liberties or Lordships,
 within their sayde severall Jurisdictions, and also to take bond
 with good Sureties for his and their appearance that shall
 so offend, to appeare at the next generall Sessions of the peace,
 to be holden within the sayd Countie, where the same offence
 shall be committed; to answer the sayd offence, and to pay the
 penalties or receive the punishment by this act appointed or
 limited; and it is enacted, that this act shall not in any wise extend
 to Robbers, Travellers or others, which shall unwillingly
 happen to take any Bowtridges or Feasants by night, under
 any Camell, Robbnet or other Engin, So as they
 and every of them do presently loose and let go every Feasant
 and Bowtridg so taken, and suffer them presently to flye and go
 at large, at the place where they shall happen so to be taken,
 without willingly killing, or wilfully hurting any such Feasant
 or Bowtridg so taken in any manner of sort, Any thing in this
 act contayned to the contrary notwithstanding.

An act for the reedifying of Cardiffe Bridge in the Countie of Glamorgan.

Chapter. xi.



Whereas the Bridge lately
 standing upon the River of
 Toffe, neere the towne of
 Cardiffe, beyng an an-
 cient Borough, in the Coun-
 tie of Glamorgan in South
 Wales, and the onely chiefe
 Shire towne of the same
 Countie, is presently in utter
 ruine and decay, and so hath
 continued by the space of
 three yeeres last past, & more:
 By reason wherof divers the
 Quenes maiesties subjects,
 not

Reginæ Elizabethæ.

Chap. xii.

not onely of that Countie and neyghbourhoode, but also many
 strangers traunsplying to and through the sayde Towne, being
 the only common port way to all the rest of Southmales aforesayde,
 haue betterly perished, and diuers others hardly escaped,
 to the great terrour and imminent perill of all such as haue oc-
 casion to traunsply that waye, and also to the impouerishing and
 hinderance of both the sayde Towne and countrey thereaboutes
 and adioyning thereunto, if speedy remedy be not prouided in
 that behalfe. And notwithstanding diuers good profitable
 lawes and statutes haue bene heretofore in such cases most cha-
 ritably prouided, and especially one Acte, intituled an Acte con-
 cerning repaying and amending of Bridges in high wayes,
 made at the Parliament holden by prouocation at Westminster
 the xvi. day of Januarie, in the xxi. yere of the reigne of our late
 deade soueraigne Lord of famous memory King Henry the eighth,
 yet such doubtles and ambiguities hath risen betwene the sayde
 Towne and Countie, touching certain matters and sentences
 in the same statute, that more money was like to be spent in the
 explaining and determining of the same, then happely myght
 haue sufficed to haue reedified the sayde Bridge, which being by
 this present Parliament duely considered, with the poore estate
 of the sayde Towne of Cardiffe, and the inhabilitie thereof to
 performe so great a charge, though of right the buylding of the
 sayde Bridge had properly belonged vnto them, without all
 doubt or controuersie. Be it therefore enacted and established by the Wicnes most
 excellent Maistie, the Lordes Spirituall and Temporall, the
 Commons in this present Parliament assembled, and by the
 auctoritie of the same, for the auoyding of further controuers-
 ies, that the sayde Towne and Countie shall ioynely together,
 after the rate and proportion herein specified, proceede to the re-
 edifying of the said Bridge, that is to say, that the Countie shall
 alwayes bestowe five partes of the charges thereunto belong-
 ing and the Towne of Cardiffe one parte, and so for every five
 poundes payable by the Countie by this Act, the Towne of Car-
 diff and liberties of the same, shall alwayes stand charged with
 twentie shillings, vntill the whole summe be defrayed, and the
 Bridge wholly reedified and buylded. And to the intent, that ouerlong delay may not be had in set-
 ting forwarde of so necessary and charitable a worke, and also
 that the Countie may haue all necessary and convenient alle-
 uiance in that behalfe: Be it likewise enacted by the auctho-
 rite, that the sayde Bridge shall be wholly buylded and finished

within the space of two yeeres next after the ende, dissolution, or
 prorogation of this present Session of Parliament, upon payne
 of forfeiture of the summe of one hundred poundes for every
 yeere, after the sayde two yeeres that the sayde worke or Bridge
 shall happen to be behinde unfinished and unperformed, where-
 of the Countie shall alwayes lose and paye foure score poundes,
 and the corporation or Towne of Cardiffe twenty poundes,
 The moortie whereof shall be to the Queenes Maestie, her
 heires and Successours, The other moortie to him that will sue
 for the same in any the Queenes Maesties Courtes of Record,
 by action of debt, byll, playnt, or information, wherein no Es-
 coyne, protection, or wager of lawe shall be admitted or allowed:
 And that all other Boroughes, Corporations and liberties
 within the sayde Countie of Glamorgan, (the Towne of Car-
 diff and liberties of the same onely excepted) shall be contribu-
 tors, and beare their ratable and reasonable portions towardes
 the same, jointly and together with the countrey or whole
 Countie of Glamorgan. And for the speedy leuying of all such
 summes of money as shall be necessary & requisite in this behalfe:
 Be it hereby enacted by the auctoritie aforesayde, that the
 Justices of peace of the Countie aforesayd, or any foure, thre, or
 two of them, wherof one to be of the Quorum out of the liberties
 of the said Towne of Cardiffe, And the Mayor and Bailiffs, or
 any two of them within the said Towne, jurisdiction and liber-
 ties of the same, shall hereby haue full power and auctoritie at
 all times hereafter, and from time to time as often as neede shall
 require, vntill the said Bridge shall be fully reedified, to rate and
 assesse the Countie aforesayd, with the several hundreds, & every
 Towne corporate, parish, village, and Hamlet within the same, &
 every Inhabitant & Dweller within every & any of them, to such
 reasonable summe and summes of moneys, as to them shall be
 thought meete & convenient, in due & proportionable maner, ac-
 cording as rates, taxes and tallages haue bene afore this time
 used to be there rated and leuied, or as nere thereto as they
 can: And that such person and persons as they shall appoynt for
 the gathering, leuying or rating thereof, shall haue hereby full
 power and auctoritie by way of distresse, upon Denyal, refusal,
 or non payment, to leuie the same, And to make sale of such dis-
 tresses, according to the Statute of the xiii. of King Henry the
 sixth aforesayde. And the same moneys so leuyed, to be deliue-
 red ouer and payed, so much thereof as shall be leuyed within the
 Countie aforesayd, out of the liberties of the Towne of Cardiffe
 aforesayde, to the sayd Justices, or to two of them, wherof one

Reginæ Elizabethæ.

Chap. xii

to be of the Quorum, or to such person as they shall appoint: And so much as shall be leuped within the liberties of the said Towne of Cardiffe, to be deliuered ouer to the sayde Maior and Bailiffs, or any to be appointed by the consent of them, or any two of them, who shall imploie the same with as much speede as conueniently may be, for the purpose aforesayde.

And if any within the Countie or liberties aforesayde, who shalbe taxed or rated to pay any summe or summes of money in forme aforesayde, doe refuse the payment thereof, or otherwise withstande their distresses, or if any other that shall be charged to take, rate, gather, leuy or paye ouer any the moneys aforesayde, shall refuse, withstande, denie, or impugne to accomplishe commaundement in that behalfe, to further the speedy executing, paying, and doing that shall be to them appoynted in manner aforesayde: Then euery such person and persons, if they be out of the liberties of the sayde Towne of Cardiffe, shall be imprisoned without bayle or maynprife, by the discretion of the sayde Iustices, or any two of them, whereof the one to be of the Quorum: if within the sayde liberties, then by the discretion of the sayde Maior and Bailiffs, or any two of them, vntill such time as they shall be conformable to abide the order of the sayde Iustices, Maior and Bailiffs for their sayde offences.

And moreover, be it enacted by the auctoritie aforesayde, if the sayde Iustices, Maior and Bailiffs, or any one of them within their seuerall limites, not beyng letted by sicknesse, or some other true and reasonable excuse, shalbe negligent, or doe not by all waies and meanes they can, procure the executing hereof by the space of two yeeres next after the ende or prorogation of this present Parliament, or hauing receyued any summe or summes of money aforesayde, towarde the reedifying of the sayde Bridge, doe deteyne the same, or any part thereof in his or their handes, or do not employ the same thereupon with all conuenient speede, and without any delay, But shall vse the same to his or their owne private profits, commodities or behoofes, to the hinderance of the said worke, That then euery such Justice, Maior and Bailiffs for euery default, shall forsayte and lose the summe of fortie poundes, One moitie wherof shall be assigned towarde the buylding of the sayd Bridge, and the other moitie to him that shall sue for the same in any of the Queenes Courtes of Recorde, by action of debt, byll or information, wherein no Esloyn, protection or wager of lawe shalbe admitted or allowed.

And forasmuch as the buylding and reedifying of the sayde Bridge,

Bridge, shall or may stande to small purpose, if prouision for repairing and maynteyning thereof from time to time, and as often as neede shall require, be not foresene and duely considered:

Be it therefore hereby enacted by auctoritie aforesayde, that both the Towne of Cardiffe and whole countie of Glamorgan, shall ioyntly together from time to time, and as often as neede shall require, defraye all such charges as shalbe necessary in that behalfe, in maner and forme, and in like proportion as is before sayde, vpon the like payne aforesaid, if materiall default be made by the space aforesayde.

An acte for an addition vn- to a former Act, made Anno xiii. of her Maiestie, for the pauing of a streete without Algate,

leading to her Highnesse Storehouses at the

Minories and other places.

Chapter. xii.



Here, in the Parliament holde at Westminster, in the thirteenth yere of the reigne of our Soueraigne Lady Elizabeth the Queenes Maiestie that now is, an Act was made and ordeined for the pauing of one waye betweene two postes next Algate, sometimes called the Barres next Algate, in the parische of S. Botolph, in the Suburbes of the Citie of London, and a corner house in

the said parish, then in the occupation of Thomas Sparrow, and of other wayes or stretes in the saide acte expressed. In which act some doubts and defects haue byn and are: for explanation wherof and better prouision hereafter to be made for the amendement of the same wayes or stretes:

Be it explained and enacted by the Queenes Maiestie, the Lordes Spirituall and Temporall, and the commons in this present

Reigne Elizabethæ.

Chap. xlii.

present parliament assembled, I am by the authoritie of the
 same: that the same wayes or streetes is; and standeth directly
 opposite or over against the parish Church of S^t. Botolphes
 without Aldgate, in the suburbs of London aforesayde; at
 the North-east corner whereof; standeth the house of parliament;
 wherein one John C^hamberlayne, and leadech the same direct-
 ly Southward along by her highnesse the house of the Ma-
 nnes; towards the tower of London, to the tower itself; is
 miles of the tower house; wherein John Badde dwelleth
 South-east, and there leadech; some while beyond the churchell
 there; which by the sayde late statute is provided, for the con-
 veying of the waters falling upon the sayd way into the ditch;
 lying on the Northside of Hoglane; and beginneth againe
 some what short of the South-west corner of her highnesse
 storehouse; late known by the name of the Abbie of Maries
 Graces; and leadech Eastward towards Ratcliffe; to a place
 sometimes called the olde Cage; where nowe a Pompe is ex-
 cuted and standeth; and from thence reacheth toward South-
 ward, unto a water Mill, called and known by the name of
 Crumwell; all which wayes or streetes are set, lying and be-
 ing in Eastmitchfield, in the County of Middlesex; and in the
 saide parish of S^t. Botolphes without Aldgate; in the suburbs
 of London aforesayde; or Southwikk; which wayes or streetes;
 by meanes that some part thereof is yet unpaved; and by rea-
 son as well of divers her highnesse carriages; passing by and
 through the sayd wayes or streetes; to and from her highnesse
 storehouses of the Wines, Marie Grace, and Ratcliffe; and
 to and from Algate and other places; within the cite of Lon-
 don and suburbs of the same; and other continuall passage,
 carriages, course and recourse of diverse her highnesse sub-
 iects on horsebacke, and on foote, are become verie mery; and
 full of watrie, deepe and dirtie places; both lothsome and noy-
 some, as well to the inhabitants of the saide wayes or streetes;
 as to all the Queenes highnesse subiects, having recourse to
 or through the same: Although for the paving and amendement
 thereof, great charges have of late yeeres bene defrayed, as
 well by the chamber of London, as by others; for the bettering
 of the same. And for the bettering and amendement thereof; be it also
 enacted, ordeyned and established by the authoritie aforesayd,
 That all and every person and persons, bodies politique and
 corporate; their heires and successours, that now be, or at a-
 ny time hereafter shall be seized of any manours, landes, tene-
 ments or hereditamentes, in any wise next adjoining to the
 sayde wayes or streetes, or any of them; either on the one side

or on the other side or sides of them or any of them, of any estate, of fee simple, fee taile, or for terme of life or lives, or by lease for terme of yeeres, shall before the feast of Saint Michaell the Archangell next coming, after the ende of this present Session of Parliament, sufficiently paue, or cause to be paued with good pauing stones, the saide waies or streetes, and euery of them along by his or their mannours, landes, tenementes, or holdings adioyning to the same waies or streetes, and euery, or any of them, directly from the dore, walles, pales, and other limites of his or their saide mannours, landes, tenementes or holdings inclosed, vnto the middell of the lately paued waies or streetes, where cartes haue now their course and recourse: And shall at all times after the saide feast of Saint Michaell the Archangell, next after the ende of this present Parliament, sufficiently mainteine and repaire the pauements of the said waies or streetes, against euery of their said landes and tenementes, in such like maner and fourme as is aboue declared, vpon paine to forfeite vnto the Queenes Maiestie, her heires and successors, for euery yarde square of the saide pauements not sufficiently paued, repaired, amended or mainteined, the Gillings eight pence, for euery moneth that the same shall rest unpaued, unrepaired and unamended, after the said feast of Saint Michaell the Archangell, next after the ende of this present Session of Parliament. And because the waters falling to, and vpon some of the saide waies and streetes, commonly ouerfloweth into the ditche of the Tower of London, to the great annoyance of the same:

It is therefore ordeined and established by the authoritie aforesaid, That all and euery person and persons, bodies politique and corporate, their heires, successors and assignes, that now haue, or hereafter shall haue any landes, tenements, or hereditamentes, in fee simple, or for terme of life or lives, or by lease for terme of yeeres, adioyning to the ditche on the Northside of Hogge lane, either on the one side or on the other, shall sufficiently before the said feast of Saint Michaell the Archangell, next after the ende of this present Session of parliament, scour and cleanse, and so keepe scourd and cleansed the said ditche on the Northside of Hogge lane, along the said landes, tenementes and hereditamentes, to the middell of the said ditche, vpon paine that euery person and persons, bodies politique and corporate, their heires, successors & assignes, which shall suffer the same, or any part thereof to be unscoured and uncleaned, after the said feast day of Saint Michaell the Archangell next, shall likewise forfeite and lose to our said Soueraigne the Queenes Maie-

tie,

Reginæ Elizabethæ.

Charpentier

the, her heires and successours six shillings eight pence for every
rod, *ie.* three score & a half, for every moeth that the same
shalbe vnder: The one halfe of all which forsaies to be to the
Quenes Maiestie, her heires and successours, and the other
halfe to him or them that will sue for the same. *FIN*

And for the better keeping of the sayde wayes or streetes cleane & in good order, according to the true meaning of this act: Be it further enacted by the auctoritie aforesayde, That there be chosen and appointed by shallice and appointment of the Justices of peace within the citie of London, and in the Lord Countie of Middlesex, yearly at the feast of Saint Michael the Archangel, one honest discrette man to be Scavenger for the yeere following. And every house, garden and realtie adioyning upon the said wayes or streetes, to be taxed, and the owners of the same to paye towardes the wages of the same Scavenger, as it is accustomed in other places in the said warde and elsewhere within the citie of London, and as the said warde shall asseesse, upon paine to paye to the Duchesse Dowager, her heires and successours, for every defaulte, five shillings eight pence.

And be it further enacted by the authoritie aforesaid, That the Iustices of Peace within the citie of London, the Iustices of the Peace in the said Countie of Middlesex, which for the time shalbe, at all times hereafter at the generall Sessions of Peace to be kept & holden in the saide Countie of Middlesex, shall haue authoritie to enquire of al and euery the said defaultes to be done wthin the power and limites of their commission: And further, to set and asseſſe for such defaultes, vpon all and euery the person and persons, and bodies politique and corporate aforesaid, all such further penalties and summes of money for the not pauing, repairing, amending, scouring, cleansing, or maintaining of the said wayes, streetes and ditches, as to there discretions shalbe thought meete. And that all such penalties & summes of money, as shalbe asseſſed and taxed, shalbe forfeitted and lost to our saide Soueraigne Lady, her heires and successors, as aforesaid.

G.I.

An

An Acte for the Inning of

Earyth and Plumsted Marsh.



Here is the list and right peeres
of the Reigne of our most excell-
lent soveraigne Lady Queene
Elizabeth, two severall statutes
were made touching the In-
ning and fencing of certaine
Groundes and Marshes lying
in the parishes of Earyth, Lp-
nes and Plumsted in the Coun-
tie of Kent, then commonly
knowne by the names of Ea-
rith, Lpnes and Plumsted
marshes, from the water and
floodes of the River of Thames, and for the partition and divi-
sion of the sayd groundes and marshes, which so should happen
to be Inned, fenced and wonne within sett apne times there-
limited, with divers and sundrie other clauses and branches in
the sayd two severall statutes made touching the sayd groundes
and marshes, as by the same more fully appeareth: Amongest
which sayd clauses and branches, It is by and in the sayd sta-
tute made in the sayd eight peere of the Reigne of our sayd So-
veraigne Lady, amongst other things enacted, That it should
and might be lawfull to John Baptista Castillon, one of the
Groomes of the Queenes Maiesties private Chamber, John
Gressham, Frauncis Robinson, Richard Vong, Symon Horse-
poole and Henry Wape, their heyres and Assignes; and to eue-
ry other their Servants, Factours, Deputies, Labourers and
Workemen, and to every of them, at the costs and charges of the
sayd John Baptista, John Gressham, Frauncis Robinson, Ri-
chard Vong, Symon Horsepoole & Henry Wape, their heyres
or Assignes, at all and every time & times after the tenth day of
Marche then next ensuing, During the tearme of eight peeres
then next following, to Inne, fence and wyne the residue of all
& singuler the groundes and marshes aforesaid, then surrounded
and overflowen with water, or any part or parcell of the, or any
of

Reginæ Elizabethæ.

Chap.xiii.

of them, at their willes and pleasure, and to labour, worke and trauell from time to time, during the said tearme of eight yeres, in, about and vpon the Inning, fencung and winning of the sayde groundes and marshes, & euery or any of the m, or in, about and vpon the Inning, fencung and winning of any parte or parcell of them, or any of them, as by the same statute made in the sayd eight yere, more fully and plainely appeareth. Since the making of which sayd statute, the sayd John Gressham lawfully constituted one Thomas Allen to be his Assignee, & the sayde Henry Hape likewise constituted one Walter Fisher to be his Assignee, to and for the aforesayd affayres. And where, forasmuch as fixe yeres, parcell of the sayde eight yeres, were almost expired the eight daye of Maye, in the fourteenth yere of the Reigne of our sayde Soueraigne Lady, and that the Inning, fencung and winning of the sayd groundes and marshes, was a huge charge, and required so much labour, as that it could not bee finished without longer time, And for that during the time of restraint betweene this Realme and the Lowe Countreyes, workemen most fitte for that purpose, could not be had by any meanes, and for that also the sayd groundes and marshes being once Inned, fenced and wonne, would be greatly profitable to the Common wealth, by the occasion of great numbers of Cattell that might there be kept, It was in the Session of Parliament holden at Westminster the said eight day of May, in the sayd fourteenth yere of the Reigne of our sayd Soueraigne Lady, enacted by the Queenes most excellent Maiestie, the Lords Spirituall and Temporall, and Commons in that Parliament assembled, and by the authoritie of the same, That it should and might be lawfull to the sayd John Baptista Castilion, Thomas Allen, Francis Robinson, Richard Young, Symon Horspoole and Walter Fisher, their heyres and Assignes, and to euery other their Seruants, Factors, Deputies, Labourers and Workemen, and to euery of them, at the costs and charges of the sayd John Baptista, Thomas Allen, Francis Robinson, Richard Young, Symon Horspoole and Walter Fisher, their heyres and assignes, at al and euery time and times after the tenth day of June then next ensuing, during the tearme of eight yeres then next folowing, to Inne, fence and winne the residue of all and singuler the groundes and marshes aforesayd, then surrounded or overflowen with water, or any part or parcell of them, or any of them, at their willes and pleasure, and to labour, worke and trauell from time to time during the sayde tearme of eight yeres, in, about and vpon the Inning, fencung

and winning of the sayd groundes and marshes, and euery or any of them, or in, about and vpon the Inning, fencing and winning of any parte or parcel of them or any of them: And that immediately after the Inning, fencing and winning of the sayde groundes and marshes or any of them, or any parte or parcell of them or any of them from the saide water and floodg as is aforesayd, the sayd John Baptista Castilion, Thomas Allen, Francis Robinson, Richard Young, Symon Horlepoole and Walter Fisher, their heires and assignes, should haue and enioye to them, their heires and assignes for ever, the one moytie of the sayde groundes and marshes so by them to bee Inned, fenced and wonne, and should haue equal partition thereof to be made after such maner as the sayde John Baptista Castilion, John Gressham, Francis Robinson, Richard Young, Symon Horlepoole and Henry Hare should haue had by force of the said former recited statute, made in the sayd eight yere of the Queenes Maiesties Reigne, if they the sayde John Baptista Castilion, John Gressham, Francis Robinson, Richard Young, Symon Horlepoole and Henry Hare had Inned, fenced and wonne the sayde groundes and marshes, according to the purporte of the sayde statute: And that the other part of the sayd groundes and marshes so then to be Inned, should bee to such persons, and in such maner, as by the sayd former recited statute is likewise mentioned: And that the sayd groundes and marshes so to be thereafter Inned, fenced and wonne by the sayde John Baptista Castilion, Thomas Allen, Francis Robinson, Richard Young, Symon Horlepoole and Walter Fisher, their heires, assignes, seruants, Deputies, Labourers and workemen, should be holden of such persons, and should be discharged of all Tythes for such like time, as by the sayd former recited Acte, made in the sayde eight yere of the Queenes Maiesties Reigne, is limited and appointed, as by the sayd later recited statute, made in the sayde fourteenth yere more fully & at large it doeth and may appeare. Since the making of which statute in the sayde fourteenth yere, All the partes, portions and interests of the Inners aforesayde, by lawfull conueyances, right and assuraunce, be in, and are come vnto the handes of the sayd John Baptista Castilion, and of Thomas Smyth, George Barne, the sayd Richard Young, Thomas Fisher, Ferdinando Doyntz, James Gynchardine & Roger James, according to their severall porcions & the severall assignements thereof to them made. And where the sayde eyght yeres limited in the sayd statute of the said fourteenth yere, are now fully expired, and that the Inning, fencing and winning of the

Reginæ Elizabethæ.

Chap. xiii.

the sayd groundes and marshes, hath by some Tempestes and floods of water, and by sundry other impediments, by the acte of God and otherwise, besides the huge greatnes and charge of the worke it selfe byn so hindred, that it can not be finished without longer time: And whereas the owners of the sayd grounds and marshes, That is to say, those persons, their heyres and assignes, and such as haue the estate of those which were owners of the sayd groundes and marshes before the surrounding thereof, to whome the sayd other halfe of the sayd groundes and marshes is by the sayd former statute made in the saide eight yeere mentioned, to be lymited and appointed, Haue in consideration of the great charges already imployed, and yet to bee imployed in the Inning, fencing and winning of the said marshes, consented and agreed, That the sayde John Baptista Castilion, Thomas Smith, George Barne, Richard Young, Thomas Fisher, Ferdinando Poyntz, James Gupchardine and Roger James, their heyres and assignes, shal haue to them, their heyres and assignes for euer, one eight parte of the sayd other halfe, ouer and aboue the one halfe by the saide statute made in the sayde fourteenth yeere lymited and appoynted to the said John Baptista Castilion, and others as is aforesayd:

It is nowe therfore enacted by the Queenes most excellent Maiestie, the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the auctoritie of the same, That it shall and may be lawfull to the sayde John Baptista Castilion, Thomas Smyth, George Barne, Richard Young, Thomas Fisher, Ferdinando Poyntz, James Gupchardine and Roger James, their heires and assignes, and to euery other their seruants, factours, deputies, labourers and workemen, and to euery of them, at the costs and charges of the said John Baptista Castilion, Thomas Smith, George Barne, Richard Young, Thomas Fisher, Ferdinando Poyntz, James Gupchardine and Roger James, their heires and assignes, at all and euery time and times after the ende of this Session of Parliament, during the tearme of two yeeres then next following, to Inne, fence and wyne the residue of all and singular the groundes and marshes aforesayde, nowe surrounded or ouerflowen with water, or any parte or parcell of them or any of them, at their willes and pleasure, and to labour, worke and trauell from time to time, during the said tearme of two yeeres, in, about and vpon the Inning, fencing and winning of the sayde groundes and marshes, and euery or any of them, or in, about and vpon the Inning, fencing and winning
of

of any part or parcell of them, or any of them, And for the Inning and fencing of the sayd marshes and groundes, and for the mayntayning and continuing of the inning and felling of the said marshes and groundes to be inned, to take and vse so much reede and earth peereley, as is or shalbe in or vpon the premises, without contradiction or denyall of any person or persons, for the making, Defence or safegard of the sayde wall onely, and not otherwise to be employed. And that immediately after the inning, fencing and winning of the said grounds and marshes, or any of them, or any part or parcell of them, or any of them from the sayde water and floods, as is aforesayde, The saide John Baptista Castilion, Thomas Smith, George Barne, Richard Young, Thomas Fisher, Ferdinando Doyntz, James Supchardine, and Roger James, their heires and assignes, shal haue and enioye to them, their heires and assignes for euer, the one halfe of all the sayde groundes, and also for and in consideration that they shal maintayne and repaire the walles and bankes of the same marshes so hereafter to be wonne, by the space of one whole yeere next after the inning and partition thereof, at the costs and charges of the sayde Inners, shal further haue and enioye to them and to their heires, one eyght part of the other halfe of the sayde groundes and marshes so hereafter inned, fenced and wonne, And shal likewise haue equall partition both of the saide halfe, and of the saide eight part of the said other halfe, to be made after such maner, as for the sayde halfe by the sayde former statutes made in the saide eight and fourteenth yerres is limited and appoynted, as if the same groundes and marshes had bene then inned and wonne accordingly, And that the residue of the sayde other halfe of the said groundes and marshes so to be inned, the saide eyght part being deducted as is aforesaide, shalbe to such persons, and in such maner and forme as by the saide former recited Statute made in the sayde eyght and fourteenth yerres is likewise mentioned. And that the groundes and marshes, and all groundes and marshes hereafter to be inned, fenced and wonne by the sayde John Baptista Castilion, Thomas Smith, George Barne, Richard Young, Thomas Fisher, Ferdinando Doyntz, James Supchardine, & Roger James, their heires, assignes, seruants, deputies, labourers, and workemen, or by any of them, shal be holden of the Queenes Maistie, her heires and successours, as of her Mannour of East Grenewiche in the Countie of Kent, in free Socage by fealtie, and one penny of rent of euery acre for all seruices, and of none other person or persons, or by any other seruices whatsoeuer. And that
further

Reginæ Elizabethæ.

Chap. xiii

further in consideration of their great costs, charges and travail, as hath been of old heretofore accustomed and borne about the same. That the said landes and marshes heretofore be deemed as waste landes, shall be discharged of all taxes whatsoeuer, for the termes of ten years next after the inning, fencing and winning of the same. And wherethere are (and by Gods acte may be) certaine shelues and forlandes more then nowe are, lying betweene the walles and boundes of the sayde marshes to be wonne, and the Riuer of Thames, vpon some of which do or may growe Reedes and other things, profitable for the repairing of the sayde wall from time to time:

It is further enacted, that the sayd forlandes shalbe in common to the saide owners and Inners, their heires and assignes, and shalbe kept and mayntayned at the common charges of the sayde owners and Inners, their heires and assignes, And that it shall not be lawfull for any person, to digge or carry any of the earth or stufte of the sayde forlandes, or any of them, nor any reede or other thing thereupon growing or being, but onely for the reparation and maintayning of the walles and fences of the sayde marshes, on payne that every person, which shall cutte, digge, carry away, or cause to be cutte, digged or carped awaye any ground, reede or other thing to any other vse then is aboue appoynted, shall forfeite for every such offence, the summe of five poundes of lawfull money of Englande, for which it shall be lawfull for the saide Inners, or owners, or any of them, to sue for the same by action of debt, bill, playnt or information in any Court of Record, In which sute no esoyne, protection, wager of Law, nor writte of priuiledge for the defendand, shalbe admitted or allowed, all which summes so to be recouered, the charges of the said sute being deducted, shalbe employed to the reparation of the sayd walles and fences.

And be it likewise enacted by the auctoritie aforesayde, that all bondes, couenants and agreements heretofore had or made, whereby the saide Inners, their heires or assignes shoulde haue any lesse or shorter time for the inning, winning and fencing of the said marshes, or whereby the same Inners, their heires and assignes shoulde haue and enioye any lesse or smaller portion of the sayd marshes for their charges, paynes and industrie about the inning and winning of the same marshes, then is limited and appoynted vnto them by this present Acte, and that all bondes, couenantes and promises, tending to the preventing, hindring or staying of the making of this Acte, shalbe utterly voyde, frustrate, and of no force nor effect in the lawe, any thing to

to the contrary thereof in any wise notwithstanding.
 Provided always, that this Act shall not extend to the late
 mined mayboes, commonly called or known by the name of Cae-
 rith mayboes, or the barbes, washes, and forelandes of the same,
 or to the reede or other commodities growing or coming in
 or by reason of the same, or any part thereof.

